

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

218

CRM-M-523 of 2024
Date of Decision:12.01.2024

Ravi

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON’BLE MS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Rahul Makkar, Advocate,
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana

(Proceedings have been conducted through video conferencing)

SUDEEPTI SHARMA, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.434 dated 01.12.2022, registered under Sections 346 IPC (Sections 363, 366A, 376 IPC and Section 6 of the POCSO Act added and Section 346 IPC deleted lateron), at Police Station Sadar Narwana, District Jind.
2. Learned counsel for the petitioner contends that the petitioner is in custody from 07.12.2022. He submits that the petitioner is innocent and has been falsely implicated in the present case as he has not committed any offence. He further submitted that the prosecution story is concocted one as no particular role of any kind has been assigned to the present petitioner and therefore the

petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Ranvir Singh Arya, learned Addl. Advocate General, Haryana, on instructions received from ASI Kuldeep, has submitted that out of the total cited 18 prosecution witnesses, 12 witnesses have already been examined. He submitted that the victim has also been examined. He further contends that FSL report is positive and DNA report is awaited. He also submitted that the next date of hearing fixed before the learned trial Court is 25.01.2024 for the examination of the remaining prosecution witnesses. Learned State counsel has also expressed apprehension that in case the petitioner is released on bail, then he may abscond from justice or he may repeat the offence. He further submitted that in view of the gravity and seriousness of the offence as committed by the petitioner, he is not entitled for the concession of regular bail.

4. I have heard learned counsel for the parties.

5. It is a case where the petitioner has faced incarceration from 07.12.2022. As per learned counsel for the parties, out of the total cited 18 prosecution witnesses, 12 witnesses, including the victim, have already been examined. As per the learned State counsel, FSL report is positive and DNA report is awaited. Furthermore, the apprehension expressed by the learned State counsel that in case the petitioner is released on bail, then he may abscond from justice or he may repeat the offence, cannot be ignored and does carry weight and therefore, this Court does not deem it fit and proper to grant the concession of regular bail to the petitioner, at this stage. Consequently, finding no merit in the present petition, the same is hereby dismissed.

6. However, anything observed hereinabove shall not be construed as

an expression of opinion on merits of the case and is only meant for the purpose of decision of the present petition.

7. All pending application(s), if any, also stand(s) disposed of.

(SUDEEPTI SHARMA)
JUDGE

January 12, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No