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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-184-2024 (O&M)
DATE OF DECISION : 31.05.2024

RAGHAV GUPTA

... APPELLANT

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Dr. Pankaj Nanhera, Advocate for the appellant.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The present appeal has been filed by the appellant assailing the order dated 19.12.2023 passed by the learned Addl. Sessions Judge-cum-Special Judge, Fast Track Court, Hisar, whereby regular bail sought by the appellant has been dismissed in FIR No. 1158 dated 18.10.2023, under Sections 323, 354-A, 354-D, 506, 34, 325 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 8 of Protection of Children from Sexual Offences Act, registered at Police Station HTM, Hisar.

2. Learned counsel for the appellant *inter alia* contends that the present FIR has been registered after 10 days by the father of the prosecutrix. The allegations regarding the occurrence dated 09.10.2023 are against the co-accused of the appellant. The appellant is a young student

and he is in custody since 30.10.2023.

3. Learned State counsel has opposed the bail application submitting that the trial is fixed for 02.07.2024. The charges are yet to be framed and statement of the minor prosecutrix is yet to be recorded who has supported her version in the statement recorded under Section 164 Cr.P.C. (Annexure R-1).

4. I have considered the aforesaid contentions.

5. Keeping in view the age of the prosecutrix and the allegations against the appellant, at this stage, till the charges are framed and the statement of the prosecutrix is recorded, it is not a fit case to release the appellant on regular bail.

6. As such, the impugned order does not suffer from any infirmity. Consequently, the appeal stands dismissed

7. Pending miscellaneous application(s), if any, shall also stand disposed of.

31.05.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No