



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.5995 of 2024
Date of decision: 27th May, 2024

Vijay Rishi

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunil K. Rana, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

Mr. A.P.S. Chhibber, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.122 dated 25.11.2019 under Sections 363, 366-A of the IPC (Section 376 IPC & Section 4 of the Protection of Children from Sexual Offences Act, 2012 added later on) registered at Police Station Sadar Phagwara, District Kapurthala.

2. Learned State counsel has filed status report by way of an affidavit of Jaspreet Singh PPS, DSP Sub Division Phagwara, District Kapurthala, today in the Court, which is taken on record subject to all just exceptions and a copy thereof supplied to learned counsel opposite. It has been brought to the notice of this Court that the victim, while stepping into the witness box, had supported the case of the prosecution in its entirety coupled with the fact that trial was nearing conclusion as only 3 prosecution witnesses remain to be examined.



3. Learned counsel appearing on behalf of the respondent/ complainant has also vehemently opposed the prayer and submissions made by the learned counsel for the petitioner for extending him the concession of bail, in view of the serious allegations levelled against the petitioner in the FIR, which has been annexed as Annexure P-1. It has also been submitted that the victim had reiterated the allegations levelled against the petitioner in her statement recorded under Section 164 Cr.P.C. coupled with the fact that there was due medical corroboration also qua the allegations levelled against the petitioner.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the facts and circumstances as enumerated hereinabove, since the trial is nearing conclusion, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition as such is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. In view of the fact that the petitioner is in custody since 13.12.2019, the trial Court shall make earnest efforts to conclude the trial expeditiously, preferably within a period of next three months.

(MANJARI NEHRU KAUL)
JUDGE

May 27, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No