



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-37209-2024 (O&M)
Date of Decision: 31.08.2024

SUBHASH RAGHAV

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Pranshul Dhull, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.001 dated 05.01.2024 under Sections 323, 328, 376, 506 IPC and Section 6 of the POCSO Act, 2012 registered at Women Police Station Manesar, District Gurugram.
2. Custody certificate dated 29.08.2024 filed on behalf of the respondent-State is taken on record. As per the custody certificate, the petitioner has undergone 07 months and 21 days of custody as under-trial.
3. I have heard learned counsel for the parties and perused the relevant documents.
4. There are allegations against the petitioner that he had repeatedly committed rape upon the prosecutrix for a period of about one month.



The age of the prosecutrix is 16 years, whereas the age of the petitioner is 54 years. As per the allegations in the FIR, the victim who is resident of Bihar, came along with her brother to stay with the petitioner at Manesar, Gurugram on the asking of her father, as the parents of the prosecutrix were in jail and the petitioner was supposed to provide assistance to the prosecutrix for getting bail order for her parents.

5. It is further alleged by the prosecutrix that on 01.12.2022, she disclosed the occurrence to her mother, when she came out of the jail and ultimately the prosecutrix reported the matter to the police and her medical examination was also conducted. As per the custody certificate there is history of other cases against the petitioner.

6. Keeping in view the age of the prosecutrix; the allegations against the petitioner and the fact that the statement of the minor victim is yet to be recorded during the trial, whereas she has supported her version in the statement recorded under section 164 Cr.P.C, the petitioner is not entitled for concession of regular bail.

7. Faced with this, learned counsel for the petitioner seeks to withdraw the present petition at this stage.

8. Dismissed as withdrawn.

9. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

31.08.2024

P.Bhatt

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