

(2010) 12 P&H CK 0318

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal M. No. M-37586 of 2010 (O and M)

Pawan

APPELLANT

Vs

The State of Haryana

RESPONDENT

Date of Decision: Dec. 24, 2010

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 439
- Penal Code, 1860 (IPC) - Section 120B, 216, 376G, 506

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Final Decision: Dismissed

Judgement

Ram Chand Gupta, J.

Crl. M. No. 66718 of 2010

Application is allowed subject to all just exceptions.

Crl. M. No. M-37586 of 2010

1. The present petition filed u/s 439 Code of Criminal Procedure is for grant of regular bail to the Petitioner in case FIR No. 538, dated 28.10.2009, under Sections 376G, 120B, 506 and 216 IPC, registered at Police Station City Bhiwani, District Bhiwani.

3. I have heard learned Counsel for the Petitioner and have gone through the whole record carefully, including the impugned order dated 3.5.2010, passed by learned Sessions Judge, Bhiwani, vide which application filed on behalf of the Petitioner for grant of regular bail was dismissed.

4. This is the 3rd application for bail filed on behalf of the Petitioner-accused before this Court. Earlier two applications were got dismissed as withdrawn. Last application was withdrawn on 26.11.2010, after arguing the same.

5. Brief allegations are that Petitioner-accused alongwith co-accused raped prosecutrix and they also snatched her mobile phone and she was allowed to leave the house at 4.00 a.m. in the night.

6. Allegations against the Petitioner-accused are serious in nature. Prosecutrix is yet to be examined. Hence, it is not such a case in which concession of bail should be granted to the Petitioner-accused.

7. Hence, in view of these facts and without expressing any opinion on the merits of the case, the present petition filed by Petitioner-Pawan for grant of regular bail is dismissed being devoid of any merit.