

In the High Court of Punjab and Haryana at Chandigarh

203

CRM-M-272-2020 (O & M)

Date of Decision: September 29, 2020

VISHAL KUMAR @ ANDA @ BINESH KUMARPETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mrs. Anupam Bhanot, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.136 dated 07.08.2019, under Sections 377, 506 and 34 IPC and Section 6 of the POCSO Act, registered at Police Station Chhehratta, District Amritsar.

Learned counsel for the petitioner contends that there is a delay of 06 months in registering the FIR. The alleged occurrence is stated to have taken place on 25.02.2019 while the FIR was lodged on 07.08.2019. There was no medical examination of the victim. The petitioner is in custody for over 01 year and 01 month and is not involved in any other case. He also contends that the trial has come to stand still due to Covid 19 pandemic.

Learned State counsel has filed the custody certificate which indicates that the petitioner is in custody for 01 year, 01 month and 21 days. He upon instructions from ASI Major Singh states that 01 out of 15 prosecution witnesses has been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 01 year and 01 month, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

September 29, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No