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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-1071-2020 (O&M)
Date of Decision: 20.08.2020

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Ajit Singh ..... Petitioner

Versus

State of Haryana and others ..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sahil Gupta, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Mr. Deepak Sethi, Advocate for respondent Nos.2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

CRM-20110-2020

Prayer in this application is for impleading the complainant, namely, Kiran wife of Raj Kumar and the prosecutrix, namely, Saloni (minor) daughter of Kiran wife of Raj Kumar as respondent Nos.2 and 3 in the present case.

For the reasons mentioned in the application, the prayer is allowed.

Amended Memorandum of Parties is taken on record.

Application stands disposed off.

CRM-M-1071-2020

This is a petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner in case FIR No.907 dated 25.08.2019, under Sections 365, 370(1)(4) and 34 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(W)(I) of the Scheduled Castes and Scheduled Tribes Act (in short

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the 'SC & ST Act') (Sections 3(1)(r)(s)(w)(i) and 3(2)(v)(va) of the SC & ST Act added lateron), registered at Police Station City Thanesar, District Kurukshetra.

[2]. Ld. Counsel for the complainant appears and submits that in view of the fact that the victim returned on the very next day after she had allegedly gone with the petitioner, the complainant, who is her mother, has no objection to the petitioner being released at this stage.

[3]. In view of the aforesaid submission and considering the long detention undergone by the petitioner since 26.08.2019, apart from the fact that there is no medical evidence nor other evidence available to establish any kind of sexual offence having been committed upon the victim, who specifically said so when taken to the concerned Doctor for her Medico-Legal Examination, and had also declined to undergo any such examination, this Court is of the opinion that further detention of the petitioner for an indefinite period is not called for at this stage, since even otherwise the trial is likely to take its own substantial time to complete on account of the ongoing Covid-19 Pandemic.

[4]. In such circumstances and considering the long detention undergone by the petitioner, his prayer for releasing him on regular bail is allowed and he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[5]. Disposed off.

20.08.2020 **(SUDIP AHLUWALIA)**
JUDGE

Bhumika

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No

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