

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 208

CRM-M-1455-2020 (O&M)

Date of decision : 04.12.2020

Vijay Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Parveen Chauhan, Advocate, for the petitioner.
Mr.Ashok Kumar Sehrawat, DAG, Haryana.
Mr.Shashi Kant Gupta, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.240 dated 21.09.2019, registered under Sections 363/366A IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Sadar Narnaul, district Mahendergarh.

Seeking regular bail for the petitioner learned counsel submits that the petitioner, who is a young boy aged 19/20 years, has been falsely implicated in the present case; he is in custody since 28.09.2019; he is not involved in any other criminal case; the relationship between him and the prosecutrix was consensual and in this regard attention of the Court is drawn to the photographs of the petitioner and the prosecutrix which have been appended with the present petition; the prosecutrix while appearing before the Trial Court as PW-1 has categorically stated that the petitioner has neither enticed her nor committed any rape upon her; for the last about nine months no effective proceedings have taken place in the petitioner's trial and that since in his trial twenty witnesses still remain to be examined it will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he has abducted and raped the prosecutrix.

The petitioner is a young boy aged 19/20 years with no criminal background; the prosecutrix while appearing as a witness before the Trial Court has categorically denied the allegations of abduction and rape by the petitioner upon her; the petitioner is in custody since 28.09.2019; for the last about nine months no effective proceedings have taken place in his trial for which he cannot be blamed and the trial in which twenty prosecution witnesses still remain to be examined is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Narnaul the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

04.12.2020

shamsher

[DEEPAK SIBAL]
JUDGE

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

209 CRM-M-2946-2020 (O&M)

HARDEEP SINGH @ BITTU VS STATE OF PUNJAB

Present: Mr.Kanwaljeet Singh, Advocate, for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

Learned State counsel prays for and is granted time to file the
petitioner's custody certificate.

Adjourned to 18.01.2021.

04.12.2020

shamsher

[DEEPAK SIBAL]
JUDGE

210 (2 cases) CRM-M-3785-2020
KULDEEP ALIAS I.G VS STATE OF HARYANA

CRM-M-18373-2020
MOHIT @ DOCTOR VS STATE OF HARYANA

Present: Mr.A.P.Dhankar, Advocate, for the petitioner
in CRM-M-3785-2020.

Mr.Parveen Sharma, Advocate, for the petitioner
in CRM-M-18373-2020.

Mr.Ashok Kumar Sehrawat, DAG, Haryana.

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Case taken up through video conferencing.

On request of learned State counsel, adjourned to 19.01.2021.

Before the adjourned date the State shall file the petitioner(s)'
fresh custody certificates.

A photocopy of this order be placed on the file of the other
connected case.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

211 CRM-M-4524-2020

HARVINDER GABA @ HARWINDER GABA @ DEEPAK
VS
STATE OF PUNJAB

Present: Mr.Arjun Veer Sharma, Advocate, for
Mr.Naveen Sharma, Advocate, for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner, adjourned to

19.02.2021.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

212 CRM-M-9596-2020

RAJESH KUMAR @ KALU VS STATE OF PUNJAB

Present: Mr.J.S.Thakur, Advocate, for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner, adjourned to
18.01.2021.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

213 (5 cases) CRM-M-13054-2020
MANJEET KAUR VS STATE OF PUNJAB

CRM-M-13356-2020
JARNAIL SINGH VS STATE OF PUNJAB

CRM-M-20984-2020
AMAR SINGH @ RINKU VS STATE OF PUNJAB

CRM-M-24799-2020
KULDEEP SINGH @ GOPI @ MANI VS STATE OF PUNJAB

CRM-M-27788-2020
KRISHNA VS STATE OF PUNJAB

Present: None for the petitioner(s) in
CRM-M-13054-2020, CRM-M-13356-2020,
CRM-M-20984-2020 and CRM-M-27788-2020.

Mr.Aminder Singh, Advocate, for the petitioner
in CRM-M-24799-2020.

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

On request of Mr.Aminder Singh, adjourned to 15.02.2021.

A photocopy of this order be placed on the files of the other
connected cases.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

214 CRM-M-15040-2020

MUKHTIAR SINGH VS STATE OF PUNJAB

Present: Mr.Parvesh Sachdeva, Advocate, for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

Reply filed on behalf of the State is ordered to be taken on
record.

For arguments, adjourned to 16.02.2021.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

215 (2 cases) CRM-M-19973-2020
SAJAN SINGH VS STATE OF PUNJAB

CRM-M-17503-2020 (O&M)
GURPREET SINGH @ MANI VS STATE OF PUNJAB

Present: Mr.Vipul Jindal, Advocate, for the petitioner(s).

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner(s), adjourned to
17.12.2020.

A photocopy of this order be placed on the file of the other
connected case.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

216 CRM-M-39353-2020

PARDEEP AND ANR VS STATE OF HARYANA

Present: Mr.T.K.Joshi, Advocate, for the petitioners.

Mr.Ashok Kumar Sehrawat, DAG, Haryana.

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Case taken up through video conferencing.

On request of learned counsel for the petitioners, adjourned to
07.12.2020.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

217 CRWP-7729-2020

PRABHJOT SINGH VS STATE OF PUNJAB AND OTHERS

Present: Mr.Sushant Kohli, Advocate, for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner, adjourned to
25.01.2021.

04.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE