

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-5527-2020
Decided on : 04.08.2020

Jamshed

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.39 dated 28052019 under Sections 363, 323, 354-B, 376-D, 450, 506-II, 85, and 201 IPC and Sections 8 and 6 of POCSO 2012 registered at Police Station Women District Palwal Annexure P1.

Learned counsel for the petitioner inter alia contends that false and fabricated allegations have been levelled against the petitioner in the FIR in question, which is evident from the fact that both the prosecutrix and her father did not support the case of the prosecution during their evidence recorded before the trial Court. He further contends that the petitioner has been in custody since 10.06.2019 and due to Covid-19, no further proceedings have been taking place in this case. Hence, the trial is not likely to conclude in the near future.

Per contra, learned State counsel while opposing the prayer of

learned counsel for the petitioner has not been able to controvert the factual

aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Anita has conceded that both the prosecutrix and her father did not support the case of the prosecution.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 10.06.2019, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

04.08.2020

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