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IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 8309 of 2020

Date of decision : November 3, 2020

(Through Video Conferencing)

Vikas

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Surinder Singh Duhan, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG., Haryana.

Manjari Nehru Kaul, J (oral).

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 171 dated 14.9.2019 under Sections 363, 366-A IPC, 1860 registered at Police Station Pillu Khera, District Jind.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question on the basis of false and fabricated version. He has drawn attention of the Court to the statements recorded under Section 164 Cr.P.C of the victim wherein she has categorically stated that no body was at fault and she had gone to Delhi as her parents would often scold her, as she was weak in her studies. He, thus, prays that the petitioner be extended the concession of regular bail as he has been in custody since 26.11.2019 and the trial is unlikely to be

concluded in the near future.

Per contra, learned State counsel while opposing the grant of regular bail to the petitioner on instructions from ASI Neer Kumar has not been able to controvert the factum of the victim not alleging much less assigning any role to the petitioner in her statement recorded under Section 164 Cr.P.C. He has submitted that charges were framed on 13.3.2020, however prosecution evidence has not yet commenced on account of the outbreak of the pandemic Covid-19.

Heard.

Keeping in view the fact that the petitioner has been in custody since 26.11.2019 and due to the outbreak of the pandemic Covid-19 the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

November 3, 2020
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No