

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 211

CRM-M-9942-2020

Date of decision : 05.10.2020

Vipin Chander

..... Petitioner

VERSUS

State of UT, Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Nipun Vashist, Advocate, for the petitioner.

Mr.Rajeev Anand, APP for UT, Chandigarh.

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.298 dated 05.12.2019, registered under Section 376(2) IPC at Police Station North Chandigarh.

Seeking regular bail for the petitioner learned counsel submits that the petitioner has been falsely implicated in the present case; he is in custody since 10.12.2019; he is not involved in any other criminal case; report under Section 173 Cr.P.C. has been filed and therefore he is not in a position to influence the investigation and that none out of the total eleven prosecution witnesses has been examined till date therefore the trial is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner, on the pretext of marriage, pregnated the complainant.

The petitioner has been in custody since 10.12.2019; he is not involved in any other criminal case; report under Section 173 Cr.P.C. has been filed and therefore he is not in a position to influence the investigation and that none out of the total eleven prosecution witnesses has been examined till date therefore the trial 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, Chandigarh 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.

05.10.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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