

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-10481-2020
Decided on : 23.06.2020**

Amarjit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Rajvir Singh, Advocate
for the petitioner(s).

Ms. Samina Dhir, DAG, Punjab.

MANJARI NEHRU KAUL, J.

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 119, dated 20.08.2019, initially registered under Section 346 IPC and Sections 376 & 201 IPC added later on, at Police Station Khuian Sarwar, District Fazilka.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question, as the parents of the prosecutrix were averse to the relationship of the petitioner with the prosecutrix. In fact, the prosecutrix of her own accord left her parental house and performed marriage with the petitioner on 21st August, 2019 with her own free will and without pressure from any quarter whatsoever. After solemnizing their marriage, the petitioner and the prosecutrix approached this Court by way of CWP No. 22508 of 2019, titled as, “Kanchan and another Vs. State of Punjab and others” for protection of their life and

liberty. However, on the date fixed before this Court, the prosecutrix was forcibly picked up by the complainant and other relatives from the premises of the High Court. Thereafter, due to the pressure exerted on the prosecutrix, she expressed her desire, during the hearing of the aforementioned writ petition, to go and live with her father i.e. the complainant.

Learned counsel for the petitioner further contends that the sequence of events clearly indicates that the allegations levelled against the petitioner in the FIR in question are totally baseless and fabricated.

Learned State counsel on the other hand has opposed the submissions made by learned counsel for the petitioner for grant of regular bail to the petitioner. She has, however, not been able to controvert the factum of the petitioner and the prosecutrix indeed having filed CWP No. 22508 of 2019 for protection of their life and liberty. She has submitted that the aforementioned writ petition was disposed off by this Court, as the prosecutrix had expressed her desire not to accompany the petitioner, but to go and live with her family. She has further submitted that the charges have been framed in the instant case and the case is now fixed for prosecution evidence.

Heard.

In view of the submissions made by learned counsel for the parteis and keeping in view the fact that the petitioner has been behind bars for almost 09 months, no useful purpose would be served in keeping the petitioner behind bars, as the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic

COVID-19. Therefore, I deem it a fit case for grant of the concession of regular bail. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 23, 2020

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No