

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

**CRM-13448-2020 IN/AND  
CRM-M-11036-2020  
Decided on : 26.06.2020**

Bhupender Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

PRESENT: Mr. Sunny K. Singla, Advocate  
for the petitioner(s).

Ms. Dimple Jain, AAG, Haryana.

\*\*\*\*

**MANJARI NEHRU KAUL, J. (Oral)**

**CRM-13448-2020**

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

This is an application under Sections 482 Cr.P.C. seeking preponement of the date of hearing fixed in the main petition.

Notice of this application.

Ms. Dimple Jain, AAG, Haryana accepts notice on behalf of the State.

After hearing learned counsel for the parties, perusing the averments made in the application, which is supported by an affidavit, the instant application is allowed and the date of the main case is advanced from 02.07.2020 to today.

**CRM-M11036-2020**

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 325, dated 11.09.2019, under Sections 346, 366, 494, 506, 120-B, registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner *inter alia* contends that a false complaint was filed against him by the complainant on the allegations that he had

kidnapped Shobha wife of the complainant and married her during the subsistence of her first marriage. He further contends that in fact Shobha is his legally wedded wife and was never married to the complainant which stands substantiated from the statement of Shobha recorded under Section 164 Cr.P.C., wherein, she stated that she was married to the petitioner and the marriage had taken place with her own free will.

Learned counsel for the petitioner further contends that since the petitioner and his wife Shobha apprehended danger to their life and liberty soon after their marriage, they had also approached the Hon'ble Allahabad High Court and vide order dated 31<sup>st</sup> October, 2019 (Annexure P-3), they had been granted protection. Learned counsel for the petitioner lastly contends that the trial is unlikely to conclude in the near future and nothing is to be recovered from the petitioner. The petitioner has been in custody since 18.12.2019.

Learned State counsel on the other hand has opposed the submissions of the learned counsel for the petitioner. He has submitted that there are serious allegations levelled against the petitioner, which do not entitle him to the concession of regular bail. He has apprised the Court that the proceedings before the trial Court have slowed down on account of the outbreak of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been behind bars since 18<sup>th</sup> December, 2019, 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 26, 2020**  
*J.Ram*

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