

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

**CRM-M-14738-2020 (O&M)
Decided on : 07.08.2020**

Neeraj Mangla

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Munfaid Khan, Advocate
for the petitioner(s).

Mr. Karan Sharma, AAG, Haryana
assisted by ASI Simran.

MANJARI NEHRU KAUL, J. (Oral)

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

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 69, dated 03.08.2018, under Sections 376, 506 of IPC, registered at P.S. Sector 16A, Faridabad, District Faridabad.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question. He further contends that even if the petitioner had made any physical relations with the prosecutrix, it was seemingly with her consent, as would be evident from her statement recorded under Section 164 Cr.P.C.

He further contends that the petitioner has been behind bars since 21st June, 2019 and till date only the prosecutrix and two other material witnesses out of 17 prosecution witnesses cited, have since been examined so far. Hence, there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel while opposing the submissions

made by learned counsel for the petitioner, has submitted that the remaining

prosecution witnesses are likely to be examined on the next date of hearing before the trial Court.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner is in custody since 21st June, 2019, I deem it a fit case for grant of the concession of regular bail, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. 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

August 07, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*