

CRM-M-14495 of 2020

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

CRM-M-14495 of 2020
Date of Decision: 13.08.2020

Deepak Kumar @ Shiva Da Mama

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. M.S. Dua, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video-conferencing due to Covid-19 pandemic.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Deepak Kumar @ Shiva Da Mama – in case arising from FIR No.50 dated 25.05.2017 registered under Sections 363, 366-A, 376 IPC, Sections 3 and 4 of the Protection of Children from Sexual Offences Act at Police Station City-II, Abohar, District Fazilka.

Petitioner is facing trial in the aforesaid FIR for committing rape upon a minor prosecutrix.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in this case. He is in custody since 12.02.2020. Petitioner is suffering from epilepsy and requires regular medical treatment. Conclusion

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of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering serious allegation of gang-rape with a minor prosecutrix, this Court is not inclined to grant concession of regular bail to the petitioner. Moreso, as per medical record, petitioner is getting regular treatment. As on date, there is no complaint of seizure, meaning thereby he is stable.

Dismissed.

At this stage, learned counsel for the petitioner prays for withdrawal of this petition.

August 13, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

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