

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

CRM-M-14859-2020

Date of Decision : 16.07.2020

Amit

....Petitioner

versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Kamal Chaudhary, Advocate for the petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Prayer in the petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner during the pendency of trial in case FIR No.175, dated 04.05.2020, registered under Sections 67, Information Technology Act, 2000, Section 6 of POCSO Act, 2012 and Section 506 Indian Penal Code, at Police Station Kheripul, District Faridabad.
3. Learned counsel contends that the petitioner has been implicated in a false case as he had merely forwarded the video of the incident to the step father of the prosecutrix to shame him since he was responsible for the wrong doing, challan has been filed on 29.06.2020, eighteen prosecution witnesses have been cited but none has been examined till date, conclusion of the trial would take considerable period of time, therefore, no useful purpose would be served by keeping the petitioner behind bars especially in the light of prevailing coronavirus pandemic.

4. Per contra, learned DAG, Haryana, states that the petitioner forwarded the video not only to the step father of the prosecutrix but also to two other persons. However, the same is vehemently denied by learned counsel for the petitioner.

5. Without commenting upon the merits of the controversy, but taking into account the fact that challan has been filed only on 29.06.2020, out of eighteen prosecution witnesses, none has been examined and that conclusion of trial would take considerable period of time, no useful purpose would be served by keeping the petitioner in custody especially in view of the prevailing Corona Virus pandemic. Accordingly, the petition for regular bail is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds / surety to the satisfaction of the learned CJM / Trial Court / Duty Magistrate, concerned so as to ensure his presence for trial and provided that he is not required in any other case.

7. However, nothing stated hereinabove would be construed as an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

16.07.2020
'PS/Rajesh'

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