

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

**CRM-M-17633-2020
Decided on : 07.07.2020**

Laxman Kumar @ Lachman Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Luvinder Sofat, AAG, PUnjab
assisted by SI Sohan Singh.

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. by the petitioner for grant of regular bail to the petitioner, in case FIR No. 204, dated 17.10.2019, under Sections 363, 366-A, 120-B of IPC, registered at Police Station Pasyana, District Patiala.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been in custody since 22nd October, 2019. He further contends that a perusal of the contents of the FIR in question clearly reveals that the essential ingredients to attract the mischief of Sections 363 & 366-A of IPC are clearly amiss in the instant case. Still, further, there is no likelihood of the trial concluding any time in the near future, as only charges have been framed till date.

Per contra learned State counsel while vehemently opposing the submissions made by learned counsel for the petitioner, on instructions from SI Sohan Singh, submits that charges against the petitioner were framed on 21st

December, 2019 and due to the outbreak of pandemic COVID-19, further

proceedings before the trial Court have been delayed. He has apprised this Court that in her statement recorded before the trial Court under Section 164 Cr.P.C., the victim supported the case of the prosecution and stated that she had been enticed and taken away by the accused-petitioner on the pretext of solemnizing marriage with her.

Heard.

The allegations levelled against the petitioner *prima facie* are serious in nature. Further, no new ground or change of circumstances have been brought forth by the petitioner, after the withdrawal of his earlier petition CRM-M-4781-2020 on 07.02.2020, which would merit acceptance of the second petition under Section 439 Cr.P.C.

In the circumstances, no ground for grant of regular bail is made out.

Dismissed. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 07, 2020

J.Ram

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