

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

205

CRM-M-16146-2020

Date of decision: 09.07.2020

Sandeep Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Tarun Sharma, Advocate  
for the petitioner.

Ms. Monica Jalota, DAG, Punjab.

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GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Sandeep Singh, stated to be aged 25 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.0007 dated 08.02.2019, registered under Section 376 IPC and Section 4 of the Protection of Children from Sexual Offence Act 2012 (Sections 376-D, 366-A & 506 IPC and Section 6 of the Protection of Children from Sexual Offence Act 2012 added later on) at Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner has been falsely implicated in the present case. He submits that the alleged incident is of 05.02.2019. Thereafter, on

08.02.2019, father of the prosecutrix named the petitioner for first time. He however further goes on to say that thereafter, on 14.02.2019, when the prosecutrix appeared before the Magistrate, she did not name the petitioner.

On instructions from ASI Harjinder Singh, learned State counsel submits that the present FIR is of 08.02.2019 and it is registered under Section 376-D IPC read with Section 366 A and 506 IPC. She submits that there were total of four accused. However, one was found not involved in the case namely Mukhtiar Singh, second was arrested and third accused-Varinder has been granted bail by the trial Court vide order dated 18.10.2019, passed by learned Sessions Judge, Fazilka

Faced with the situation, learned counsel for the petitioner submits that the petitioner was arrested on 31.01.2020. Challan was presented on 07.02.2020 and thereafter on 27.04.2020, supplementary challan has also been presented. It is stated that there are total of 13 witnesses and none has been examined till date. It is further submitted that due to the present COVID situation, the trial is likely to take some time and detention of the petitioner in jail would be dangerous to his life, the petitioner may be granted concession of regular bail.

In view of the peculiar facts and circumstance as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of trial Court/Duty Magistrate concerned, subject to his furnishing bail/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression

on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)  
JUDGE

09.07.2020  
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| Whether speaking/ reasoned: | Yes/No |
| Whether Reportable:         | Yes/No |