

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-16187-2020****Date of decision: 10.07.2020****Partap Singh @ Kalu****....Petitioner****V/s.****State of Punjab****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.****Present:** Mr. Mandeep Kaushik, Advocate for the petitioner.

Mr. M.S.Dullat, Addl.A.G., Punjab.

**********Ritu Bahri, J. (Oral)**

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case F.I.R. No. 323 dated 17.10.2018 under Sections 363, 366-A, 380 IPC later on offence under Section 376, 120-B IPC and Sections 3 and 4 of POSCO Act 2012 registered at Police Station Shimlapuri, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner is in custody since 24.10.2018 and after presentation of challan on 22.01.2019 (Annexure P-2) and framing of charges on 18.03.2019 (Annexure P-3) only one witness has been examined out of 10 witnesses. The allegations against the present petitioner are that he had developed relations with Kirandeep Kaur alias Chhinu who was minor as per the FIR. The petitioner is in custody in Central Jail, Ludhiana. He further submits that more than six persons have been found COVID-19 positive in this jail and the co-accused has already been granted bail by the trial Court on 16.01.2020.

Learned counsel for the State, on instructions from Rajiv Arora, Superintendent, Central Jail, Ludhiana, submits that total 36 persons are found COVID-19 positive.

Keeping in view above facts and the fact that trial is not likely to conclude in near future, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

10.07.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**