

In the High Court of Punjab and Haryana at Chandigarh

(Proceedings conducted through Video Conference)

CRM-M-16198 of 2020

Date of Decision: 4.8.2020

Vishal @ Ricky

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. H.S.Jaswal, Advocate
for the petitioner**

Mr. Saurav Khurana, DAG, Punjab

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 145 dated 16.11.2019 registered at Police Station, Nangal District Roopnagar for offence punishable under Sections 376 and 506 of the Indian Penal Code (in short "IPC").

Counsel for the petitioner would argue that in view of allegations raised by the prosecutrix, the present is a case of physical relationship between the parties since when the prosecutrix attained majority. It is further argued that petitioner is in custody for the past more than 8 months and case is pending for framing of charge. He would further submit that since the regular courts are not working, possibility of framing of charge and thereafter examination of the prosecutrix seen to be remote.

The last submission made by counsel is that petitioner is ready to face trial in strict adherence to conditions, if any, imposed by the court.

Counsel representing State of Punjab has conceded to factual submissions made by counsel for the petitioner but opposed the prayer for bail.

Concededly, the prosecutrix and the petitioner developed physical relationship since 2014 and the present case has been registered in the year 2019. The petitioner has suffered incarceration since 18.11.2019. He is no longer required for the purpose of investigation of the case as challan has been presented in the court. Due to Covid-19 situation, the proceedings have been stalled and case is yet at the stage of framing of charge.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to his furnishing bail bonds to the satisfaction of the trial court/Additional Sessions Judge, (On duty) Rupnagar. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) He shall not leave India without previous permission of the Court.

Disposed of.

(Rekha Mittal)
Judge

4.8.2020

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No