

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-16283-2020 (O&M)
Date of decision: 09.07.2020

Anil Kumar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. J.S. Thakur, Advocate
for the petitioner.

Ms. Monica Jalota, DAG, Punjab.

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-Anil Kumar, stated to be aged 24 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.200 dated 06.08.2018, registered under Sections 363, 366-A IPC, 1960 and Section 8 of The Protection of Children from Sexual Offences Act, 2012 (Section 376 IPC added later on) at Police Station Division No.6, District Jalandhar Commissionerate.

Learned counsel for the petitioner submits that the petitioner was arrested on 13.08.2018 and thus, has almost completed nearly two years of custody. He submits that after presentation of challan, only seven witnesses have been examined out of 28. He further makes reference to the *zimni*

orders dated 20.09.2019, wherein, it has been recorded that no PW is present. It has been further recorded that let PWs be again summoned as per previous orders, for 27.09.2019. Production warrants of accused were also issued. He then submits that the complainant-Basant Gupta as per FIR, is stated to be resident of West Bihar. He therefore submits that since long time, no one is appearing from the complainant side. 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