

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 213

CRM-M-17144-2020

Date of decision : 30.07.2020

Akash @ Bhagwan Dass

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Jagjit Singh, Advocate, for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.71 dated 07.04.2019, registered under Sections 363 and 366-A IPC at Police Station Sultanpur Lodhi, District Kapurthala.

Seeking regular bail for the petitioner learned counsel submits that the petitioner who is a young man aged 24 years has been falsely implicated in the present case; the complainant's daughter had voluntarily travelled 24 kms to the petitioner's house; there is no other criminal case in which he is involved; he is in custody since 09.04.2019; only five out of total fourteen prosecution witnesses have been examined and therefore the trial is not likely to conclude in the near future.

Learned State counsel opposes the grant of regular bail to the petitioner on the ground that the petitioner is accused of kidnapping which is a serious offence.

The fact whether the complainant's daughter voluntarily went to the petitioner's house which at a distance of about 24 kms from her house shall be deciphered during the course of trial. However, the petitioner is a young man aged 24 years; there is no other criminal case in which he is involved; he is in custody since 09.04.2019; only five out of total fourteen prosecution witnesses have been examined; since 05.08.2019 no prosecution witness has been examined and the trial is not likely to conclude in the near future especially in the present circumstances when the world is facing the Covid-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Kapurthala the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

30.07.2020

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No