

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17245-2020 (O&M)

Date of Decision: 20.07.2020

Rattan Singh

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Arun Singla, Advocate for the petitioner

Mr. Hitesh Pandit, Addl. AG Haryana

GIRISH AGNIHOTRI, J. (Oral)

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

The petitioner Rattan 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.242 dated 01.11.2019 under Section 365, Section 376 (2)(n), 120-B IPC and Section 6 of POSCO Act (added later on), registered at PS Barauda, District Sonapat.

Learned counsel based upon the pleadings in the petition submits that the petitioner was arrested on 08.11.2019. Counsel submits that the petitioner has been falsely implicated at the instance of complaint by police. He further submits that in the FIR, it has been alleged that on the night of 30.10.2019 at 10.00 pm, she went away from the home without telling anything to anybody. Counsel by making reference to the pleadings submits that it is unbelievable that for 7 days, the girl did not utter a single word to anybody regarding her kidnapping.

Notice of motion.

On the asking, Mr. Hitesh Pandit, Addl. AG Haryana accepts notice on behalf of the respondent through video conferencing.

Learned State counsel submits that challan in the present case has been presented in January, 2020. There are a total of 19 witnesses however none has been examined till date. He further submits that Sumit the co-accused had actually named the petitioner.

Faced with this, counsel for the petitioner then submits that due to COVID situation retention of the petitioner in jail is dangerous to his life and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

20.07.2020

vishal shonkar

1. Whether speaking/reasoned?

2. Whether reportable?

(Girish Agnihotri)
Judge

Yes/No

Yes/No