IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 18082 of 2020
Date of decision : July 14, 2020

Sikander

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, Additional Advocate General, Haryana.

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Manjari Nehru Kaul, J (oral).

On account of outbreak of covid-19 the instant matter is being taken up through video conferencing.

This is the second petition filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 453 dated 9.8.2019 under Sections 354-A and 354-D IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Sonepat City, District sonepat.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the petitioner has been in custody since 9.8.2019 and there has been no headway in the trial as only six out of 14 prosecution witnesses cited, have been examined, which was the case even when the first petition under Section 439 Cr.P.C. (CRM-M-1898-2020) for regular bail was filed before this Court and was dismissed on 22.1.2020. He further submits that all the material witnesses including the victim have already been examined and

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hence there is no question of influencing or extending any threat to the prosecution witnesses.

On the other hand, learned State counsel on instructions from ASI Satish, while opposing the grant of regular bail to the petitioner does not controvert the factum of the petitioner having been in custody since 9.8.2019 as well as the factum of all the material witnesses having been examined.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since 9.8.2019 and the trial is unlikely to conclude in the near future, moreso in the prevailing conditions on account of the outbreak of Covid-19, I deem it a fit case to grant the concession of regular bail to the petitioner. The instant petition is allowed. The petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

July 14, 2020
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Whether speaking/reasoned Yes/No
Whether Reportable Yes/No

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