

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 18334 of 2020(O&M)

Date of decision : August 18, 2020

(Through Video Conferencing)

Prince Kumar Sharma

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. A.P.S. Sandhu, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Manjari Nehru Kaul, J (oral).

The present petition has been filed under Section 439 Cr.P.C read with Section 482 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 0007 dated 13.1.2020 under Sections 363, 366 IPC (Sections 346, 376, 120-B IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 added later on) registered at Police Station Chheharta, District Amritsar.

Learned counsel for the petitioner inter alia contends that a perusal of the FIR in question reveals that the petitioner was arraigned as an accused only on the disclosure statement of co-accused Sarabjit Singh @ Sonu who allegedly enticed and eloped with the victim aged about 17 ½ years on the Activa-Scooter registered in the name of the petitioner. He further contends that the petitioner has been in custody since 6.2.2020 and the trial is unlikely to conclude in the near future as only challan has been presented till date.

Per contra, learned State counsel while opposing the grant of regular bail to the petitioner has not been able to controvert the submissions made by learned counsel for the petitioner and has conceded that the only role attributed to the petitioner in the offence in question is that his scooter was used by Sarabjit Singh @ Sonu who is the main accused while eloping with the victim.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 6.2.2020 and due to the outbreak of the pandemic Covid-19, the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

August 18, 2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No