

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 18327 of 2020

Date of decision : August 17, 2020

(Through Video Conferencing)

Jaspreet Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Ajay Kumar, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG., Haryana.

Manjari Nehru Kaul, J (oral).

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 0211 dated 7.9.2019 under Sections 363,366-A IPC and Sections 376, 506,120-B IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 were added later on, registered at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner contends that false case has been registered against the petitioner on the allegations of alluring away the 17 years old daughter of the complainant. He further contends that daughter of the complainant in her statement under Section 164 Cr.P.C categorically stated that she was well acquainted with the petitioner and had herself accompanied him on a motor cycle to Salasar. However, since she was scared of her parents, she consumed pesticide. Not only this, in her statement recorded under Section 161 Cr.P.C, she further stated that she was confident that she would be able to prevail upon her parents to consent to her marriage with the petitioner with whom she had a love affair. He further

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contends that the petitioner has been in custody since 7.9.2019 and only charges have been framed till date hence there is no likelihood of trial being concluded any time in the near future.

Per contra, learned State counsel while opposing the grant of regular bail to the petitioner has not been able to controvert the contents of her statement made under Section 164 Cr.P.C. He on instructions from ASI Rajesh Kumar further submits that the trial has not been able to proceed on account of outbreak of the pandemic Covid-19.

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 7.9.2019 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 17, 2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No