

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19186-2020 (O&M)

Date of Decision: 05.08.2020

Madan Pal

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. SK Jindal, Advocate for the petitioner

Mr. Amit Aggarwal, DAG 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 Madan Pal who is stated to be aged 19 years has filed the present petition *inter alia* with a prayer for grant of regular bail. He has been allegedly involved in case FIR No.575 dated 07.09.2019 under Sections 363/366/342/376 IPC and Sections 6/17 of POSCO Act, 2012 registered at PS Samalkha, District Panipat.

Learned counsel for the petitioner submits that a perusal of the FIR (P1) would show that the petitioner has not been named in the FIR. He further makes reference to the document dated 10.09.2019 (P2) wherein the girl refused to get herself medically examined and gave a statement that no wrong act has been committed with her forcibly.

Notice of motion.

On the asking, Mr. Amit Aggarwal, DAG Haryana accepts notice through video conferencing.

Learned State counsel though has opposed the prayer made by the petitioner but is not able to deny the above facts. He, however, submits that

charges have been framed on 05.03.2020. There are a total of 17 witnesses and none have been examined.

Faced with this, learned counsel for the petitioner 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.

05.08.2020

vishal shonkar

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No