

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-19844-2020 (O&M)

Date of Decision:07.08.2020

Gurpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sandeep S. Majithia, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G. Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in FIR No.0077 dated 09.04.2019 under Sections 376, 506 and 120-B IPC registered at police station Sadar Mansa, District Mansa.

Counsel for the parties have been heard.

As per prosecution version complainant was 22 years old and was pursuing IELTS course at Bathinda and in January 2015 she got in touch with the accused/petitioner herein on Facebook. A love affair ensued. Precise allegations are that on the pretext of marriage, physical relations developed. Allegations on behalf of the complainant is that she was kept in dark as regards accused-petitioner already being a married man and as such the accused is guilty of rape.

It is a case where the love affair has lasted for more than 4 years.

As per counsel for the petitioner a mobile phone of the prosecutrix had been surrendered before the police authorities.

Counsel adverts to the extract of mobile chat between the complainant and the accused at Annexure P-2 which would prima facie indicate that she was aware about the marital status of the accused. As per counsel the entire chat history is before the Trial Court.

Petitioner has faced incarceration since 20.04.2019. Statement of the prosecutrix has been partly recorded.

Trial is now not proceeding further on account of the current Covid-19 situation. It is not the case made out on behalf of the State that the benefit of bail if granted to the petitioner would hamper the course of a free and fair trial.

Without making any observation on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Mansa.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

August 07, 2020
shweta

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No