

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20379-2020 (O&M)

Date of Decision: 10.08.2020

Balinder Kumar @ Naveen @ Navi

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Mikhail Kad, Advocate for the petitioner

Mr. HS Sitta, AAG Punjab

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 Balinder Kumar @ Naveen @ Navi who is stated to be aged 24 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.229 dated 24.12.2019 under Sections 363/366-A IPC registered at PS City Sunam, District Sangrur.

Learned counsel for the petitioner based upon the pleadings submits that the FIR was initially recorded against unknown persons. Thereafter, on 26.12.2019, a supplementary statement was given by the mother wherein the petitioner was stated to be a suspected person. On 28.12.2019, a statement has been recorded of the prosecutrix stating therein that on 25.12.2019 they solemnized marriage with each other and she had gone with the petitioner with her free-will.

On a question put by this Court, learned counsel submits that based upon the pleadings the girl has since been married with another person by her parents.

Learned State counsel, on instructions from ASI Kashmir Singh, submits that challan in this case has been presented on 24.02.2020. There are a total of 13 witnesses and none of them have been examined.

Faced with this counsel then 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.

10.08.2020
vishal shonkar

(Girish Agnihotri)
Judge

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

Yes/No
Yes/No