

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20394-2020 (O&M)

Date of Decision: 10.08.2020

Ismail

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Kunal Dawar, Advocate for the petitioner

Mr. Rajiv Goel, 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 Ismail 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.80 dated 27.04.2020 under Sections 451/34 IPC, Section 8 of POSCO Act, 2012 registered at PS Women Police Station, NIT Faridabad, Faridabad.

Learned counsel based upon the pleadings submits that the petitioner has been falsely implicated in the present case. He then makes reference to the para 4 of the petition to say that the prosecutrix refused for her internal examination (medico-legal examination). He further submits that in any case, the petitioner being a young boy of 19 years of age has been behind the bars since more than 3 months as he was arrested on 27.04.2020.

Learned State counsel submits that the challan in this case has been presented. There are a total of 23 witnesses and none 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