

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

216

CRM-M-20368-2020 (O&M)

Date of decision: 10.08.2020

**Mohit**

....Petitioner

**versus**

**State of Haryana**

....Respondent

**CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. H.N. Sahu, Advocate  
for the petitioner.

Mr. Rajeev Goyal, DAG, Haryana.

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**GIRISH AGNIHOTRI, J. (Oral)**

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Mohit, stated to be aged 21 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.365 dated 06.08.2019, registered under Sections 376 & 506 of Indian Penal Code and Section 67-A of the Information Technology Act, 2000, at Police Station Tosham, District Bhiwani.

Learned counsel for the petitioner, based on the pleadings, submits that in fact, daughter of the complainant was doing computer course at Tosham. It is then submitted that both, the petitioner as well as daughter of the complainant, came in touch with each other. However, it appears that due to some misunderstanding, the present FIR was lodged on 06.08.2019.

The petitioner was arrested on 06.08.2019 and has completed one year of custody. Counsel further makes reference to statement dated 07.08.2019, made by the girl, recorded under Section 164 Cr.P.C, wherein, she submitted that she does not want to get herself medically examined.

On instructions from the police official, learned State counsel submits that charges in this case have been framed on 03.12.2019. It is also submitted that there are total of 17 witnesses and out of which, none has been examined till date.

Faced with the situation, learned counsel for the petitioner submits that due to the present COVID-19 situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

**(GIRISH AGNIHOTRI)**  
**JUDGE**

10.08.2020

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Whether speaking/ reasoned:  
Whether Reportable:

Yes/No  
Yes/No