

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.22646 of 2020
Date of Decision : 18.08.2020

Bhale Singh ...Petitioner

Versus

State of HaryanaRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Rohit Mittal, Advocate for the petitioner.
Mr. Jitender Kumar, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.165, dated 19.03.2020, registered under Sections 363, 365, 366-A and 120-B IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012, at Police Station City Narnaul.

3. Learned counsel for the petitioner contends that the petitioner was arrested on 04.03.2020. He further contends that the petitioner and victim had a love affair and wanted to get married as is evident from the statement made by the victim under Section 164 Cr.P.C. (Annexure P-3), in which the victim i.e. minor aged 17 years 09 months had virtually exonerated the petitioner by contending that she wanted to get married to the petitioner and live with him but the petitioner had requested with folded hands that he could not take her along with him and that he even touched her feet but that she remained adamant and told the petitioner that either he

should take her along with him or that she will die, whereafter the petitioner took her along with him and after that both of them performed marriage at *Neemrana*, by performing the rituals and that she had gone with Bhale Singh i.e. petitioner with her own consent and wanted to reside with him.

4. Learned counsel further contends that investigation is complete and challan has been submitted against the petitioner, therefore, further detention of the petitioner for an indefinite period in view of prevailing circumstances on account of Corona Virus Pandemic is not warranted, since the trial is likely to take a long period of time.

5. Learned State Counsel has not controverted the factual position, as noted above.

7. Accordingly, without commenting upon the merits of the case, the petition for regular bail is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing bail / surety bonds to the satisfaction of the learned CJM / Trial Court / Duty Magistrate concerned provided he is not required in any other case. The petitioner shall also comply with the conditions contained in Section 437(3) Cr.P.C.

(B.S. Walia)
Judge

August 18, 2020

'Rajneesh-Amit'

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No