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

CRM-M No. 20875 of 2020
Date of Decision: 24.09.2020

Jaskaranjit Singh

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. P.S. Sekhon, Advocate,
for the petitioner.

Mr. R.P. Singh, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.96 dated 23.12.2019 under Sections 376, 306, 506, 34 IPC and under Section 3 (W) (11) of SC/ST Act registered at Police Station City Banga, District SBS Nagar.

FIR was registered by the father of the prosecutrix (Sonia). FIR has been registered on the basis of hearsay to the effect that the petitioner kept on doing illegal acts with the prosecutrix for 6/7 years on the false pretext of marrying her.

The accused had exploited her and now, he has solemnized marriage with some other girl on 18.11.2019.

Owing to the aforesaid situation, Sonia had consumed sulphas tablets. Initially, the complainant took her with the help of police to Civil Hospital, Banga from where she was referred to Raja Hospital, Nawanshahr after giving first aid. During treatment at Raja Hospital, she died.

FIR was registered on the basis of hearsay version from the deceased.

Learned counsel for the petitioner submitted that the complainant himself has given an affidavit on 14.02.2020 that the FIR was lodged only on suspicion against the petitioner and others. Sister of the complainant remained under depression on account of death of her mother. Earlier, she also attempted to commit suicide under depression. Though the affidavit submitted by the complainant is on questionable note, still for the purpose of considering bail in favour of the petitioner, the same can be relied.

In compliance of order dated 04.09.2020, learned State counsel submits that though the complaint dated 11.12.2019 by the petitioner has been received by the police, but nothing substantial was found in that complaint.

Learned State counsel states that charges have been framed, but no prosecution witness has been examined so far.

Petitioner is in custody since 25.12.2019.

Trial of the case may take some time in its final culmination.

At this stage, without embarking upon anything on the merits of the case and owing to the situation arising out of pandemic COVID-19, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

24.09.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No