

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

**(Heard through VC)**

CRM-M-23043 of 2020 (O&M)  
Date of Decision: August 21, 2020

Sonu @ Soni

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Sanjeev Kumar, Advocate  
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

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**JAISHREE THAKUR, J. (Oral)**

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.230 dated 15.05.2019, under Sections 363, 366-A of Indian Penal Code and Section 16 of POCSO Act, registered at Police Station City Mohindergarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.07.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that there is no medical of the prosecutrix, aged 17 years, on the record, as she did not allow her medical to be conducted, by stating that

nothing wrong has been done with her. It is also contended that investigation is complete, as the challan has already been presented and due to non-functioning of the courts at their full strength due to Covid-19 pandemic, it will take sufficient time to frame the charges and conclude the trial, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigation Officer opposes the grant of regular bail to the petitioner. However, she does not dispute the fact that investigation is complete, as the challan has already been presented.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 01.07.2019, that investigation is complete, as the challan has already been presented and that due to Covid-19 pandemic, the courts are not functioning at their full strength, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, it is made clear that the petitioner shall not visit the village/locality of the prosecutrix during the trial of the case and shall not try to contact the prosecutrix in any manner whatsoever either directly or indirectly. In case, if there is any violation made by the petitioner, then the regular bail granted to the petitioner shall stand automatically cancelled.

Needless to say, anything observed or said by this court is only

for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

**August 21, 2020**  
*vijay saini*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No