

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

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**207 - CRM-M-23429-2020**  
**Date of Decision: 06.11.2020**

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Sahil Kumar & Anr.

... Petitioners

VS.

State of Punjab

... Respondent

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**CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI**

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Present: Mr. SK Choudhary, Advocate for the petitioner

Mr. Saurav Khurana, DAG Punjab

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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 COVID-19 pandemic.

The petitioner Sahil Kumar aged 24 years and another have jointly filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.55 dated 29.05.2020 under Sections 377/506 IPC registered at PS Narot Jaimal Singh, District Pathankot.

Learned counsel submits that the petitioners have been falsely involved in the case. It is submitted that both the petitioners are cousin brothers whereas the complainant is the neighbourer of the petitioners. It is stated that there was a dispute between the family of the petitioners and their neighbourers upon a common wall in between the houses of both the families. As a counter-blast to which, the present false FIR is alleged to have been lodged.

Learned State counsel submits that the investigation is complete; challan presented on 27.08.2020 and there are a total of 14 witnesses but none have been examined till date. He opposed the granting of bail and submits

that in case bail is granted to the petitioners, it is very likely that they will again indulge in the same crime.

Learned counsel submits that due to the present COVID-19 situation, detention of the petitioners in jail would be dangerous to their lives 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 facts noticed above, the present situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioners on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their 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.

**06.11.2020**

*vishal shonkar*

1. *Whether speaking/reasoned?*

2. *Whether reportable?*

**(Girish Agnihotri)**

**Judge**

**Yes/No**

**Yes/No**