

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

208

CRM-M-23892 of 2020

Date of Decision: 01.10.2020

(through video conferencing)

Surjit

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Saurabh Kapoor, Advocate for the petitioner.

Mr. Amandeep Gill, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.160 dated 11.07.2019 under Sections 363 and 366-A IPC, registered at Police Station Sahnewal, District Ludhiana.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question, which is evident from the fact that the prosecutrix in her statement recorded under Section 164 Cr.P.C. soon after her recovery from the custody of the petitioner, stated that she herself had gone to the petitioner as her parents had been averse to her relationship with him. Learned counsel further submits that the prosecutrix on being recovered declined to get her medico legal examination conducted after her recovery. He further contends that the petitioner has been in custody since 22.07.2019 and the trial is unlikely to conclude in the near future as only 2 out of the 12 prosecution witnesses cited so far have been examined as on date.

Learned State counsel, on instructions from SI Harpal Singh, while opposing the prayer of learned counsel for the petitioner, has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner.

Heard.

Keeping in view the fact that the petitioner has been in custody since 22.07.2019 and due to the outbreak of the pandemic Covid-19, the trial is not likely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

01.10.2020

D.Bansal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No