

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-24536-2020

Date of decision : 04.11.2020

Jaspreet Singh @ Jass

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Deepak Sabherwal, Advocate, for the petitioner.

Ms.Rashmi Attri, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 439 Cr.P.C. the petitioner seeks the grant of regular bail in FIR No.222 dated 20.07.2018 registered under Section 376 IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Sulatanpur Lodhi, district Kapurthala.

Learned State counsel submits that since in the petitioner's trial the entire prosecution evidence has already been led the petitioner be not granted regular bail and instead this Court may consider issuance of directions to the Trial Court to dispose of the petitioner's trial in a time-bound manner. She further submits that she has clear instructions that in the present times when the world faces the COVID-19 pandemic the prosecution would have no objection to the physical hearing of the petitioner's trial with regard to production of defence witnesses and final hearing of the matter.

Learned counsel for the petitioner also submits that in case, after considering the above submission made by the learned State counsel this Court is not inclined to grant regular bail to the petitioner, the present petition

may be disposed of with a direction to the Trial Court to conclude the petitioner's trial in a time bound manner and learned counsel for the petitioner states that he has clear instructions that in these times of COVID-19 pandemic the petitioner or his counsel before the Trial Court are also ready and willing to produce the defence witnesses and argue the matter through physical hearing.

The petitioner's trial is virtually at its fag end and therefore the prayer made by the petitioner for the grant of regular bail is declined.

However, in the light of the above statements made at the bar by learned counsel for the parties the present petition is disposed of with a direction to the Trial Court to take a final decision in the petitioner's trial within two months from the next date fixed before it by resorting to physical/virtual hearing. Such direction is subject to the assessment by Sessions Judge, Kapurthala of the prevailing local conditions including the intensity of the spread of COVID-19 pandemic, guidelines/health advisories and SOPs issued by the Government of India/State Governments from time to time.

04.11.2020

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No