

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-25352-2020

Date of decision: 28.10.2020

Kunal

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Wazir Singh, Advocate for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Kunal, stated to be aged 20 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.58 dated 12.05.2019, registered under Section 506 IPC and Section 6 of POCSO Act, at Women Police Station, Karnal.

Learned counsel for the petitioner at the outset, submits that the parties have compromised the matter. He then submits that CRM-M-29436-2020 has been filed by the petitioner, wherein, a prayer has been made for quashing of the FIR, on the basis of compromise dated 18.09.2020 (Annexures P-2 to P-4) in that case. He further submits that in the above said case, notice of motion has been issued and the trial Court has been directed to record the statements of the parties and now the said case is fixed for 28.05.2021.

On instructions from SI Geeta, learned State counsel submits that investigation in this case is complete and charges were framed on 13.07.2019. He then submits that there are total of 12 witnesses, out of which, seven have been examined and five are yet to be examined.

Faced with the situation, learned counsel for the petitioner submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life 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 peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his 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.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

28.10.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No