

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

222

CRM-M-25319-2020

Date of decision: 03.09.2020

Kapil @ Leela

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sandeep Saini, Advocate for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

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**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-Kapil @ Leela, stated to be aged 32 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.269 dated 30.10.2019, registered under Sections 363 & 366-A of Indian Penal Code (Section 6 of POCSO Act 2012 added later on), at Police Station Narwana Sadar, District Jind.

Learned counsel for the petitioner, based on the pleadings, by making specific reference to the FIR, submits that the complainant namely Mukesh, has alleged that Kapil (present petitioner) use to come to their house. It is then alleged in the FIR that Kapil, on the intervening night of 29/30.10.2019, at about 11pm, allegedly tricked and deceived her daughter Renu and manage to flee with her.

Learned State counsel, on instructions from ASI Kuldeep Singh,

submits that challan was presented on 18.01.2020. It is also submitted that there are total of 18 witnesses, but none has been examined till date.

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**

03.09.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No