

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

**Crl. Misc. M 25134 of 2020 (O&M)
Date of Decision: 31.8.2020**

Aashish

... Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Harkesh Manuja, Advocate,
for the petitioner.

JAISHREE THAKUR, J.

1. The instant petition has been filed seeking grant of interim bail to the petitioner in FIR No. 69 dated 25.1.2020 under Section 3 SC/ST Act, Section 6 of POCSO Act and Sections 328, 341, 354, 365, 376-D, 363 and 34 IPC, registered at Police Station Model Town, District Panipat.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the aforesaid FIR. It is argued that when the petitioner surrendered after availing interim bail, on 31.7.2020 he was found COVID-19 positive. Thereafter, the petitioner was kept in isolation ward in Civil Hospital, Panipat for a period of 14 days. It is contended that there is huge increase in number of COVID-19 patients in the jail, therefore, the petitioner should be allowed interim bail on medical ground.

3. Notice of motion.

4. Ms. Deepshikha Chauhan, AAG Haryana, who is available through the medium of Video Conferencing, accepts notice and, on instructions from SI Ramesh Kumar, submits that the petitioner herein is in

custody for heinous offences, while further submitting that as on date the petitioner is not a COVID-19 patient and more than adequate treatment is being provided to all the patients who are in need of medical aid.

5. I have heard learned counsel for the parties and found that in view of the serious nature of the allegations levelled against the petitioner, he cannot be granted interim bail merely on the ground that a large number of inmates and the police officials of the District Jail Panipat have tested COVID-19, particularly when all care is being taken of by the jail authorities so as to avoid spread of such viral and otherwise also.

6. Consequently, this petition is dismissed.

31.8.2020
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No