

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-25307-2020
Date of decision: 04.09.2020

Sumit

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Arun Singal, 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-Sumit, stated to be aged 16 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.242 dated 01.11.2019 under Section 365 IPC, (Section 376 (2)(n), 120-B IPC and Section 6 of POCSO Act added later on), registered at PS Barauda, District Sonapat.

Learned counsel based upon the pleadings in the petition submits that the petitioner was arrested on 08.11.2019. Counsel submits that the petitioner has been falsely implicated at the instance of complaint by police. He further submits that in the FIR, it has been alleged that on the night of 30.10.2019 at 10.00 pm, she went away from the home without telling anything to anybody. Counsel by making reference to the pleadings submits

that it is unbelievable that for 7 days, the girl did not utter a single word to anybody regarding her kidnapping. Learned counsel then submits that co-accused, namely, Rattan Singh, has been granted regular bail vide order dated 20.07.2020 passed in CRM-M-17245-2020 thus, the petitioner seeks the similar relief as granted to the co-accused.

Learned State counsel, on instructions from ASI Satpal submits that challan in the present case has been presented in 07.01.2020. There are a total of 19 witnesses, however, none has been examined till date. Next date before the trial Court is 14.10.2020.

Faced with this, counsel for the petitioner then submits that due to COVID situation retention of the petitioner in jail is dangerous to his life and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

(GIRISH AGNIHOTRI)
JUDGE

04.09.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No