

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

217 - CRM-M-25288-2020 (O&M)

Date of Decision: 03.09.2020

Bijender @ Jaswinder

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Parminder 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 lockdown due to outbreak of COVID-19 pandemic.

The petitioner Bijender @ Jaswinder who is stated to be aged 22 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.507 dated 04.12.2018 under Sections 363/366-A/376(3) IPC and Section 4 of POCSO Act, 2012 registered at PS Indri, District Karnal.

Learned counsel for the petitioner based upon the pleadings submits that a reading of the FIR dated 04.12.2018, clearly shows that the FIR is to the effect that the sister of the complainant had run away by taking cash and gold ornaments. It is then stated in the FIR that the sister of the complainant be traced along with gold ornaments and money. Learned counsel then submits that in this case, the petitioner was arrested on 14.02.2019 and has completed more than 1½ years of custody. He is a young boy and deserves to be granted the concession of regular bail.

Learned State counsel, on instructions of SI Dayanand, submits that the charges in this case were framed on 05.10.2019. There are a total of 19 witnesses out of which only 4 witnesses have been examined till date. He

states that the petitioner is not involved in any other case.

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 peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of 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.

03.09.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No