

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

209

CRM-M-25813-2020

Date of decision: 08.09.2020

Wahab**.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Baljeet Beniwal, 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-Wahab, stated to be aged 21 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.108 dated 13.07.2020 under Sections 376, 323, 506 of IPC, registered at Police Station Women NIT Faridabad, District Faridabad.

Learned counsel for the petitioner by making reference to the contents of FIR submits that the complainant herself mentioned that she had friendship with the petitioner. It is further stated that thereafter they started meeting each other. It is then alleged that when she became pregnant and asked the petitioner to marry, he refused.

At this stage, learned counsel for the petitioner makes reference to the affidavit of the complainant dated 17.08.2020 (Annexure P-1), wherein she

has stated that she has compromised the matter with the petitioner. It is mentioned that the petitioner and his parents have no objection in marrying the complainant. He also refers to affidavit dated 17.08.2020 (Annexure P-2).

Learned State counsel, on instructions from ASI Neelam, submits that the challan has been presented on 06.08.2020. Charges are yet to be framed. He also submits that there are total of 11 witnesses but till date none has been examined.

Faced with the situation, Learned counsel, however, submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail would be dangerous to his life.

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

It is made clear that in case, the above statement of facts/submissions stated on behalf of the petitioner are found to be incorrect, the complainant/prosecution is free to apply for cancellation of bail.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

08.09.2020

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No