

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

212 - CRM-M-25940-2020 (O&M)

Date of Decision: 08.09.2020

Sumit Goswami

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. SK Jindal, 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 Sumit Goswami aged 21 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.172 dated 13.08.2019 under Sections 323/354-D/506 read with Section 34 IPC and Section 8 of the POCSO Act, 2012 registered at PS Women, Panipat.

Learned counsel by making reference to the pleadings submits that the petitioner was arrested on 13.08.2019. He submits that in fact the petitioner has not committed any offence as the story put up by the complainant is only after pressure from her family members. It is then submitted that the petitioner is a young boy and considering his age as 21 years, his prayer for grant of regular bail be considered.

Learned State counsel, on instructions from ASI Ravinder Kumar, submits that the charges were framed on 19.10.2019. There are a total of 11 witnesses; 4 have been examined and 7 witnesses are still to be examined. The next date before the trial Court is 08.10.2020.

Learned counsel for the petitioner then submits that considering the long custody of the petitioner i.e. more than one year; he is a young boy of 21 years; due to the present COVID-19 situation where 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, the present situation due to COVID-19 and the fact that the 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.

The petition stands disposed of accordingly.

08.09.2020

vishal shonkar

**(Girish Agnihotri)
Judge**

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

Yes/No
Yes/No