

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

CRM-M-25970-2020

Date of decision: 08.09.2020

Sandeep Khan

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Kuldeep Sheoran, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

..

ALKA SARIN, J. : (Oral)

Heard through Video Conferencing.

This is the first petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.465 dated 19.11.2018 registered under Sections 354-B of the Indian Penal Code, 1860 and Section 8 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2) (VA) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Badhra, Distirct Charkhi Dadri.

It has been contended by learned counsel for the petitioner that the petitioner is in custody since 20.11.2018. He further contends that most of the prosecution witnesses have been examined including the Prosecutrix as well as her family members.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG Haryana has joined the session through Video Conferencing and accepts notice on behalf of the respondent/State of Haryana and confirms, on instructions from SI Raj Kumar, that the petitioner is in custody since 20.11.2018 and that the prosecution witnesses have been examined including the Prosecutrix as well as her family members

The allegations against the petitioner are that the Prosecutrix, who studies in Class-X, on 19.11.2018 at about 7.00 am

went to the school situated in Village Kakroli Sardara. It has further been alleged that after attending the school she was returning to her house. When she reached near the fields of one Jeeta, the present petitioner caught hold of her. He started doing bad acts with her. On raising hue and cry, one Narender, who was passing by on his motorcycle, rescued her. The petitioner has been in custody since 20.11.2018.

Without commenting on the merits of the case and keeping in view the fact that the petitioner has been behind bars since 20.11.2018 and the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

However, the prosecution will always be at liberty to get the bail cancelled, in case the petitioner is found to be misusing the concession of bail in any manner.

Nothing stated herein above shall be taken as an opinion of the Court on the merits of the case. The present petition is, accordingly, disposed off.

(ALKA SARIN)
JUDGE

08.09.2020

Kv

Whether speaking/reasonable: Yes/No.

Whether reportable : Yes/No.