

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

214 - CRM-M-25965-2020 (O&M)

Date of Decision: 08.09.2020

Lalit

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. SK Goswami, 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 Lalit aged 25 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.707 dated 26.11.2018 under Sections 363/366-A IPC and Section 4 of POCSO Act, 2012 registered at PS Safidon, District Jind.

Learned counsel based upon the pleadings submits that initially on 26.11.2018, an FIR was lodged by the grandfather of wife of the petitioner. He then submits that on 23.11.2018, they had performed their marriage. Learned counsel then submits that on 26.11.2018 Asha made a statement under Section 164 CrPC that she had solemnized marriage with the petitioner on 23.11.2018 in *Mandir* near the house of the petitioner. She has also specifically stated that she wants to live with the petitioner. Learned counsel for the petitioner then submits that later she has given different version under pressure from her parents.

Learned State counsel, on instructions from Inspector Dharamvir, submits that charges in this case were framed on 14.03.2019.

There are a total of 19 witnesses; 8 witnesses have been examined and 11 witnesses still remain to be examined.

Learned counsel for the petitioner then submits that the petitioner is a young boy of 25 years and 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