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

CRM-M-27009-2020 (O&M)

Date of Decision: 17.11.2020

Harpreet Kumar @ Happy

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, A.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

CRM-26651-2020

Applicant-petitioner is permitted to place on record Affidavits and evening route (Trip) dated 28.11.2019 of Bus driven by the petitioner as Annexures P-3 to P-5, respectively.

Application stands disposed off.

CRM-M-27009-2020

This is a petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner in case FIR No.76 dated 18.12.2019, under Section 376 of the IPC and Sections 3, 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Patara Jalandhar, District Jalandhar.

[2]. It is submitted by Ld. Counsel for the petitioner that in spite of noting made in the previous order dated 30.10.2020, still no witness from the prosecution side has been examined in the Ld. Trial Court till date.

[3]. Ld. State Counsel concedes to the aforesaid submission.

[4]. Perusal of the Custody Certificate on record shows that the petitioner has remained in detention in the present case for almost 11 months since 21.12.2019.

[5]. Co-accused, namely, Dalbir Singh @ Soni has already been granted regular bail by this Court in CRM-M-23722-2020 on 26.08.2020. As such, further detention of the petitioner for an indefinite period at this stage, is not called for.

[6]. As such, considering the over all circumstances and without commenting any further on the merits of the present case as a whole as also considering the fact that the trial is likely to take its own substantial time to complete on account of the ongoing COVID-19 Pandemic, the prayer of the petitioner for releasing him on regular bail is allowed and he is ordered to be released on bail, subject to the appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[7]. Disposed off.

17.11.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No