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

**CRM-M-27578-2020
Date of Decision: 18.09.2020**

Ajay Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Harpreet S. Rakhra, Advocate,
for the petitioner.

Mr. Ramandeep Singh Sandhu, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner in case FIR No.175 dated 17.11.2019, under Sections 376, 506 and 34 of the IPC and Section 4 of the Protection of Children from Sexual Offence Act, 2012, registered at Police Station Kamboj, Amritsar.

[2]. On submission of Ld. Counsel for the petitioner, let the offences under Sections 363, 366-A, 120-B and 109 of the IPC be added in the present case as Ld. Counsel has clarified that these offences were not mentioned in the original FIR, but were added subsequently at the time of filing of Challan.

[3]. Ld. counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and even, as per the allegations in the FIR, no offence has been committed by the petitioner. He submits that the complainant, as per the allegations in the FIR, is alleged to have been standing guard outside the Hotel room, in which, the victim girl was

allegedly molested by co-accused Ranjit Singh, and there is no allegation of his having personally molested her. It transpires that co-accused Jasan Kumar, who was arrested on the same date as the present petitioner, has already been granted regular bail by a Co-ordinate Bench of this Court on 31.08.2020 in CRM-M-24565-2020.

[4]. Ld. counsel also submits that the petitioner is in custody since 17.11.2019 and has accordingly completed nearly 10 months of custody.

[5]. Ld. State counsel, on instructions submits that challan has been presented. There are total of 20 witnesses but none has been examined till date. On the asking of Court, he further submits that the petitioner is not involved in any other case.

[6]. Faced with the situation, Ld. counsel for the petitioner 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 is dangerous to his life.

[7]. 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.

[8]. The petition stands disposed off accordingly.

18.09.2020*Bhumika***(SUDIP AHLUWALIA)
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |