

212

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

**CRM-M-27821-2020
Date of Decision: 18.09.2020**

Gurdev Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Buta Singh Bairagi, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Senior D.A.G., Punjab, assisted by
ASI Paramjit Kaur, Police Station Dharamkot, District Moga.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.186 dated 08.09.2019, under Sections 376/506 of the IPC, registered at Police Station Dharamkot, District Moga.

2. The petitioner has remained in custody for more than one year, since the time of his arrest, i.e. on 08.09.2019. After completion of investigation, challan against him was submitted in the month of October, 2019 and the charges were framed on 08.01.2020.

3. Thereafter, evidence from the prosecution side has not commenced and the trial has been held up due to onset of the COVID-19 Pandemic.

4. Ld. Counsel for the petitioner has drawn attention of the Court to the MLR of the prosecutrix (Annexure P-5), which according to him does not support her allegations of having been molested as claimed in the FIR.

5. In such circumstances, considering the long detention undergone by the petitioner in the present case 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 in view 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.

6. Disposed off.

18.09.2020

Apurva

(SUDIP AHLUWALIA)
JUDGE

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