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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-28435-2020
Date of Decision: 22.09.2020

Mapa @ Kulwinder Singh @ Lakhwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

Mr. Harbir Sandhu, Assistant Advocate General, 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 FIR No.26 dated 21.03.2020, under Sections 363/366/376/120-B of the IPC & Sections 5/6/18 of the POCSO Act (Sections 3/4 of the POCSO Act were deleted & Sections 5/6/18 were added vide DDR No.15 dated 14.05.2020), registered at Police Station Baja Khana, District Faridkot.

[2]. The petitioner has remained in custody for 5 months now since 23.04.2020. After completion of investigation, challan against him has already been submitted.

[3]. Perusal of the FIR goes to show that the role of the petitioner was to the extent that he had assisted the main accused Gurprem Singh in taking back the victim by Motorcycle and dropping her at Behbal Kalan Road. It further transpires that the victim and her family members including the complainant declined any medical examination for her to support the

allegations of rape having been committed upon her by co-accused Gurprem Singh. Thereafter, the victim has virtually exonerated all the accused persons in her statement recorded under Section 164 of the Cr.P.C.

[4]. In these circumstances, without commenting any further on the merits of the present case as a whole, but in view of the detention undergone by the petitioner and the fact that the trial is likely to take its own considerable time due to ongoing Covid-19 Pandemic, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[5]. Disposed off.

22.09.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No