

208 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-30312-2020
Date of decision: 05.10.2020**

Shanker Lal @ Kati

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sushil Kumar Verma, 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 restrictions due to outbreak of pandemic COVID-19.

Petitioner-Shanker Lal @ Kati, stated to be aged 30 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.125 dated 11.03.2020, registered under Sections 354 & 354A of Indian Penal Code (Section 506 of IPC added later on) and Section 8 of POCSO Act, at Police Station Rania, District Sirsa.

Learned counsel for the petitioner submits that Shanker Lal @ Kati (present petitioner), Gurpreet Kaur, Renu and Rohtash, are related to each other. He submits that Rohtash and Renu had filed a case before the learned Sessions Judge to direct the State as well as private respondents to protect life and liberty of the petitioner. In this petition, reference was also made to an order passed by this Court. In the aforementioned case, on 29.09.2016, the Court of Sessions Judge, Sirsa, had disposed of the petition. However, the case as pleaded by the petitioner, is that since there was a family dispute between

the two family members, (because of love marriage of Renu and Rohtash), the parents of Gurpreet Kaur (complainant in the present case) have falsely implicated the petitioner. They are holding grudge against the petitioner that he had allegedly helped Renu in performing love marriage with Rohtash. He then submits that all the four have their Great Grand Father as Mr. Rehmat.

On instructions from SI Ram Phal, learned State counsel submits that the petitioner was arrested on 13.03.2020. It is further submitted that charges in this case were framed and there are total of 15 witnesses, out of them, none has been examined till date.

Faced with the situation, Learned counsel for the petitioner submits that in view of the COVID situation, 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 and the present situation due to COVID-19 and also the fact that 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.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

05.10.2020/anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No