

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 30166 of 2020
Date of Decision: 05.10.2020**

Ravi

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bhupinder Ghai, Advocate
for the petitioner.

Mr. A.M.Punchhi, Public Prosecutor with
Mr. Anupam Bansal, Advocate
for U.T., Chandigarh.

Mr. Vishal Aggarwal, Advocate
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 0085 dated 24.6.2019 under Sections 363 IPC and subsequently added Sections 366, 376(2)(n)(3) IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Sector-19, U.T., Chandigarh.

Mr. Vishal Aggarwal, Advocate has put in appearance on behalf of the complainant and filed his power of attorney.

Custody certificate by way of affidavit of Deputy Superintendent Grade-I, Model Jail, Chandigarh has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that victim Radha

left her home on 23.6.2019 and came back at her own on 26.8.2019 and the

petitioner has been in custody since 30.8.2019. He further submits that even as per the alleged history given by Radha to the general physician, she went on her own with Ravi i.e. the petitioner due to some quarrel with her parents. Similar is the statement given by her under Section 164 Cr.P.C.

Learned State counsel has pointed out that the prosecutrix is minor but has not disputed the fact that the petitioner has been in custody from the last 01 year and 01 month and the case is now fixed for 10.11.2020.

Keeping in view the statement given by the prosecutrix before the physician and the statement under Section 164 Cr.P.C., the trial Court is directed to take an endeavour to get the statements of the prosecutrix as well as the complainant recorded through video conferencing, on the date fixed i.e. 10.11.2020 or any other date convenient to it.

Learned counsel for the petitioner submits that he may be permitted to withdraw the petition at this stage.

Dismissed as withdrawn at this stage.

(HARNARESH SINGH GILL)
JUDGE

October 05, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No