

**207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-30305-2020

Date of decision: 05.10.2020

Deepak

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sumit Sangwan, 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-Deepak, stated to be aged 24 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.45 dated 15.02.2019, registered under Sections 363 & 366A of Indian Penal Code (Section 4 of POCSO Act added later on), at Police Station Sadar, Yamuna Nagar, District Yamuna Nagar.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner is in custody since 27.02.2019. On merits, learned counsel for the petitioner submits that the petitioner has a good prima facie case.

On instructions from ASI Jagdeep Singh, learned State counsel,

submits that charges in this case have been framed on 29.08.2019 and there are total of 18 witnesses. He submits that the case is at this stage is defence evidence as prosecution witnesses have been examined.

Faced with the situation, learned counsel for the petitioner submits that firstly, from the above, it is evident that since all material witnesses have been examined, there is no chance of the petitioner to influence witnesses now. Secondly, he submits that because of COVID situation, the case is further not in progress.

Learned counsel for the petitioner further 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
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No