

**219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-30563-2020
Decided on : 17.12.2020

Jhandu Ram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.319 dated 03.09.2019 registered under Section 4 of POCSO Act, 2012 and Section 3 of SC/ST (Prevention of Atrocities) Act, 1989 (Amendment 2015) and during investigation Sections 363 and 377 IPC, 1860 were added at Police Station Bhuna District Fatehabad.

Learned counsel for the petitioner has reiterated the submissions, which were made earlier on 02.12.2020. He has invited the attention of this Court to the medico-legal report of the victim, which does not reveal any injury on the person of the injured from which an inference could be drawn that he was subjected to any sexual assault much less carnal intercourse. Learned counsel has also submitted that the prosecution evidence is yet to commence. Hence, the trial is unlikely to conclude in the near future.

Per contra, learned State counsel while opposing the prayer of

learned counsel for the petitioner on instructions from ASI Sushma Rani has submitted that charges have since been framed and the prosecution evidence is likely to commence on the next date of hearing i.e. 18.12.2020.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 05.09.2019, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

17.12.2020

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