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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-31623-2020  
Date of decision-13.10.2020

Ramandeep Singh @ Raman Singh @ Raman

....Petitioner

Vs.

State of Punjab

...Respondent

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Ms. Amandeep Kaur, Advocate for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

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**MANOJ BAJAJ, J.**

Petitioner has preferred this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.0019 dated 04.02.2020 registered under Section 376 Indian Penal Code, 1860 at Police Station Goindwal Sahib, District Tarn Taran. The petitioner is in custody since his arrest on 23.02.2020.

The FIR was registered on the statement of prosecutrix which reads as under:-

“Stated that I am resident of above mentioned address and I am labourer by profession. My marriage was solemnized with Nishan Singh son of Trilok Singh resident of Jahagir Kalan Tarn Taran and I am having one son namely, Gurpartap Singh who is about 2 years of age. On 31.01.2020 at about 12.30 PM. Noon, I went to the fields of Jaswinder Singh son of Banta

Singh residents of Jahagir from my house for taking vegetable (saag) and

when I after taking vegetable went at the motor for drinking water then I saw Raman Singh son of Gian Singh, R/o Jahagir Kalan, Tarn Taran was already sitting near Motor on parali. When I turned back after drinking water then Raman Singh caught me from my arm and took me forcibly towards the southern side of parali and committed forcibly rape upon me. Thereafter, due to fear, I silently came back at my home while taking saag. I did not disclose about this with anybody at my home and on that very day, I went to my parental home at village Rasalpur Nahin Raha and since 31.01.2020 up to today I remained at my parental house. Today, my husband reached at my parental house in Village Rasalpur Nehra at about 09.00 A.M in the morning for taking me and then, I disclosed him about the incident dated 31.01.2020 in the presence of husband of Gurnam Kaur. Then, he alongwith me and our son came at Village Jahagir, where we discussed and consulted with our family members and got the statement recorded.”

Learned counsel for the petitioner contends that the alleged occurrence took place on 31.01.2020, whereas the FIR was lodged after a delay on 04.02.2020. She has further pointed out that as per FIR itself, the same was got registered after deliberation and consultation. According to learned counsel, the victim was already married and no injury mark was found on her person to suggest the use of force for the alleged commission of offence. She submits that the investigation of the case is complete and therefore, further custody of the petitioner may not be necessary. She prays for bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Gurinder Singh has opposed the prayer on the ground that the offence is serious and specific allegations have been made by the prosecutrix. It is

it has been explained by her that after the occurrence, she went to her parental house. However, it is not disputed by learned State counsel that as per the MLR (Annexure P-2), no injury was found on the person of the prosecutrix.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete but trial is yet to commence. At the same time, this Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial, therefore, considering the above background, the further detention of the petitioner behind the bars may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)  
JUDGE

13.10.2020  
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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |