

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 217

CRM-M-23704-2020

Date of decision : 03.12.2020

Buta Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Dhruv Gupta, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Learned counsel for the parties are ad idem that since the entire evidence has been led by both the parties and the matter is listed before the Trial Court on 10.12.2020 for final arguments, the present petition be disposed of with a direction to the Trial Court to decide the petitioner's trial expeditiously through physical/virtual hearing.

In view of the above, the present petition is disposed of with a direction to the Trial Court to hear the arguments of both sides by resorting to physical/virtual hearing and take a final decision in the petitioner's trial on the next date fixed before it or within a month thereafter. However, such direction is subject to the assessment by Sessions Judge, Ferozepur of the prevailing local conditions including the intensity of the spread of COVID-19 pandemic, guidelines/health advisories and SOPs issued by the Government of India/State Governments from time to time.

03.12.2020

shamsher

[DEEPAK SIBAL]
JUDGE

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

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 217(2)

CRM-M-28199-2020 (O&M)

Date of decision : 03.12.2020

Gurbachan Singh@ Bittu

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.S.Sekhon, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Learned counsel for the parties are ad idem that since the entire evidence has been led by both the parties and the matter is listed before the Trial Court on 10.12.2020 for final arguments, the present petition be disposed of with a direction to the Trial Court to decide the petitioner's trial expeditiously through physical/virtual hearing.

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03.12.2020

shamsher

[DEEPAK SIBAL]

JUDGE

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

219 CRM-M-26111-2020

SANDEEP @ SANDY ROHILLA VS STATE OF HARYANA

Present: Mr.Sunil Kumar, Advocate, for the petitioner.

Mr.A.K.Sehrawat, DAG, Haryana.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner, adjourned to
15.12.2020.

To be heard alongwith CRM-M-2214-2020.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

220 CRM-M-26958-2020

SUMIT @ MAMAN VS STATE OF HARYANA

Present: Mr.Subhash Godara, Advocate, for the petitioner.

Mr.A.K.Sehrawat, DAG, Haryana.

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Case taken up through video conferencing.

Status report filed by the State is ordered to be taken on record.

Adjourned to 05.02.2021.

Before the adjourned date the State shall place on record a copy of the statement of the eye witness who has appeared before the Trial Court as PW-5.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

221 CRM-M-30559-2020

SUKHCHAIN SINGH @ CHAINA VS STATE OF PUNJAB

Present: Mr.R.S.Sekhon, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

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Case taken up through video conferencing.

Learned State counsel prays for and is granted last opportunity
to produce the petitioner's custody certificate.

Adjourned to 05.02.2021.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 222

CRM-M-39056-2020

Date of decision : 03.12.2020

Anil Kumar and another

..... Petitioners

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Deepinder Brar, Advocate, for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.10 dated 16.01.2020, registered under Sections 363, 366-A, 376, 377, 120-B IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Koom Kalan, District Police Commissionerate, Ludhiana.

Briefly stated, the case of the prosecution is that the prosecutrix, who is the complainant's cousin, alongwith her younger brothers, was living in the house of the complainant's matrimonial uncle namely Harmesh Mehto where elder daughter of Harmesh Mehto namely Gudiya Devi was also living. On 13.01.2020 at about 7 pm Gudiya Devi informed the complainant that the prosecutrix had gone somewhere and is not traceable. Accordingly, the complainant filed a complaint with the police stating therein that he had full faith that Sonu son of Harmesh Mehto had enticed the prosecutrix on the pretext of marrying her. On being recovered the prosecutrix got her statement recorded under Section 164 Cr.P.C. in which she stated that it were the petitioners who had taken her and Sonu to the bus stand and made them sit in a bus. On the basis of this statement the petitioners were nominated as accused.

Seeking regular bail for the petitioners learned counsel submits that the petitioners have been falsely implicated in the present case only for the reason that the prosecutrix had eloped with their relative-Sonu and after being recovered,

under pressure of her parents, out of sheer vengeance, had roped in the petitioners as accused; even if the case of the prosecution is accepted at its face value, though vehemently denied, the only allegation against the petitioners is that they had escorted the prosecutrix and Sonu to a bus stand without putting any pressure on either of them; there is no other criminal case in which they are involved; they are in custody for over two months; report under Section 173 Cr.P.C. has already been filed and therefore they are not in a position to influence the investigation and that the trial which is yet to commence will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioners on the ground that they were accomplices in the abduction and rape of the prosecutrix.

The petitioners have been in custody for the last over two months; they are not involved in any other criminal case; they are not named in the FIR; the main case of the prosecution is not against the petitioners but against Sonu who is alleged to have abducted and raped the prosecutrix; report under Section 173 Cr.P.C. has already been filed and therefore they are not in a position to influence the investigation and the trial which is yet to commence is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioners be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Ludhiana the petitioners are directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

03.12.2020

shamsher

[DEEPAK SIBAL]

JUDGE

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

DHARAMVEER ALIAS ANUJ VS STATE OF HARYANA

Present: Mr.Namit Khurana, Advocate, for the petitioner.

Mr.A.K.Sehrawat, DAG, Haryana.

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Case taken up through video conferencing.

Notice of motion.

Mr.A.K.Sehrawat, DAG, Haryana, accepts notice on behalf of
the respondent and prays for time to file reply.

Adjourned to 16.12.2020.

To be heard alongwith CRM-M-35868-2020.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

224 (2 cases) CRM-M-39096-2020
KAMAL KUMAR AHUJA @ ROCKY VS STATE OF PUNJAB

CRM-M-39156-2020
HARSHDEEP VERMA @ HARSHDEEP SINGH VS STATE OF PUNJAB

Present: Mr.Vishal Rana, Advocate, for
Mr.Vishal Deep Goyal, Advocate for the petitioner
in CRM-M-39096-2020.

Mr.Sandeep Chopra, Advocate, for the petitioner
in CRM-M-39156-2020.

Mr.Gaurav Garg Dhuriwala, Sr.DAG, Punjab.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner(s), adjourned to
07.12.2020.

A photocopy of this order be placed on the file of the other
connected case.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

225 CRM-M-39353-2020

PARDEEP AND ANR VS STATE OF HARYANA

Present: Mr.T.K.Joshi, Advocate, for the petitioners.

Mr.A.K.Sehrawat, DAG, Haryana.

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Case taken up through video conferencing.

Learned counsel for the petitioners inter alia relies on the grant of regular bail by this Court to co-accused Mohan.

Adjourned to 04.12.2020.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

226 CRM-M-39631-2020 (O&M)

KARNI SINGH @ KARANPAL SINGH VS STATE OF PUNJAB

Present: Mr.R.S.Sekhon, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

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Case taken up through video conferencing.

Notice of motion.

Ms.Monika Jalota, DAG, Punjab, accepts notice on behalf of the
respondent and prays for time to file reply.

Adjourned to 11.02.2021.

Before the adjourned date the State shall file the petitioner's
custody certificate.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

227 CRM-M-39657-2020

VIKRANT SINGH VS STATE OF PUNJAB

Present: Mr.S.K.Choudhary, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

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Case taken up through video conferencing.

On request of learned counsel for the petitioner, adjourned to
08.12.2020.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

228 CRM-28219-2020 in CRA-S-1662-2019

NIRMAL SINGH VS STATE OF PUNJAB

Present: Ms.Aashna Aggarwal, Advocate, for
Mr.Kulwant Singh, Advocate, for the applicant/appellant.

Ms.Monika Jalota, DAG, Punjab.

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Case taken up through video conferencing.

Learned State counsel submits that the applicant is on parole till
14.01.2021.

Adjourned to 12.02.2021.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

229 CRM-M-22224-2020 (O&M)

LAKHBIR SINGH VS STATE OF PUNJAB AND OTHERS

Present: Mr.Prince Sharma, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

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Case taken up through video conferencing.

Reply filed on behalf of the State is ordered to be taken on
record.

For arguments, adjourned to 12.02.2021.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

230 CRWP-4299-2020

PARVEEN KUMARI @ POOJA VS STATE OF PUNJAB AND OTHERS

Present: Mr.Rahul Bhargava, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

None for respondents No.4 to 9.

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Case taken up through video conferencing.

In the interest of justice, adjourned to 25.01.2021.

03.12.2020

shamsher

[DEEPAK SIBAL]

JUDGE

IVLEEN KAUR VS STATE OF PUNJAB AND OTHERS

Present: Mr.Rajat Malhotra, Advocate, for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

Mr.B.R.Rana, Advocate, for respondents No.4 and 5.

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Case taken up through video conferencing.

Status report filed on behalf of the State is ordered to be taken
on record.

Adjourned to 15.12.2020.

In the meanwhile, respondents No.4 and 5 may also file their
reply.

03.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE