

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

CRM-M-41539-2020
Decided on : 15.12.2020

Meghraj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jasbir Mor, 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.127 dated 14.06.2020 registered under Sections 363, 366-A and added Section 120-B IPC,1860 at Police Station Garhi District Jind.

Learned counsel for the petitioner inter alia contends that the petitioner, who has been in custody since 04.07.2020, has been falsely implicated in the FIR in question, which is evident from the fact that neither was he named in the statement made by the prosecutrix under Section 164 Cr.PC nor any allegation has been levelled against him in the FIR, which was got registered by the mother of the prosecutrix soon after the prosecutrix went missing. It has been further submitted that the petitioner was assigned a role in the alleged crime only on the basis of disclosure statement made by the main accused Amit before the police wherein he stated that the petitioner had helped him in eloping with the prosecutrix and thereafter providing an accommodation for both of them.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Shyam Lal has conceded that the petitioner was arrayed as an accused only on the basis of disclosure statement made by co-accused Amit. It has also been submitted that the charges are likely to be framed on the next date of hearing i.e. 13.01.2021.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 04.07.2020, 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

15.12.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No