

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

209

**CRM-M-2472-2021
Decided on : 19.02.2021**

Amit

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Gourav Jain, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana
assisted by ASI Radhey Sham.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 127, dated 14.06.2020, under Sections 363, 366-A, 120-B IPC, registered at Police Station Garhi, Tehsil Narwana, District Jind.

Learned counsel for the petitioner *inter alia* contends that a perusal of the statement made by the prosecutrix (aged about 17½ years) under Section 164 Cr.P.C., leaves no manner of doubt that she had of her own accord left her house with the petitioner. Still further, while inviting the attention of this Court to her statement made under Section 164 Cr.P.C. dated 20.06.2020 (Annexure P-2), learned counsel has submitted that the prosecution had reiterated her wish to go and live with the petitioner with whom she was in relationship.

Per contra, learned State counsel while opposing the

submissions made by learned counsel for the petitioner, on instructions from ASI Radhey Sham, has apprised the Court that charges are likely to be framed shortly. She has not been able to controvert the submissions made by the learned counsel for the petitioner *qua* the contents of the statement made by the prosecutrix under Section 164 Cr.P.C.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner is in custody since 20th June, 2020, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of 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

February 19, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*