

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

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**CRM-M-12931-2021(O&M)
Decided on : 30.04.2021**

SARABJEET SINGH @ SONU @ CYLINDER

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Amardeep Singh, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Tejbir Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the 2nd petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.7, dated 13.01.2020 under Sections 363, 366 of the IPC and Section 376, 346 of IPC Section 6 of POCSO Act, (added later on vide DDR No.033 dated 08.02.2020) registered at P.S. Chhehrata, District Police Commissionerate, Amritsar.

Learned counsel submits that the FIR in question was registered at the instance of Rubina @ Rubi, who was averse to the relationship of her daughter (victim) with the petitioner. He further submits that subsequent to the registration of the FIR in question, the complainant has reconciled to the relationship of her daughter i.e. the victim with the petitioner and the victim (Aged about 18 years) and also the complainant have made a statement to the said effect before the learned trial Court. In support thereof, learned counsel has annexed the copy of the statement dated 11.01.2021 made before the learned trial Court as Annexure P-9. It has been further submitted that the petitioner has been in custody since

08.02.2020 and only challan stands presented as on date, hence, there is no likelihood of the trial concluding any time in the near future.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Tejbir Singh has not been able to controvert the factum of both the victim as well as the complainant having suffered statement (Annexure P-9) before the trial Court. He has submitted that the delay in the trial has been on account of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the parties, 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 as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 30, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*