

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

**CRM-M-18232-2021 (O&M)
Date of Decision: May 20, 2021**

JASMER SINGH

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Harnek Singh, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioners pray for bail pending trial in FIR No.47, dated 26.02.2021 under Sections 376, 511, 354, 354-A, 509 IPC, registered at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner submits that petitioner, who is 50 years old, has been serving as a Sewadar in the Gurudwara for the last 25 years and enjoys a good reputation. He is living in the Gurudwara alongwith his family and is not involved in any other criminal case. Learned counsel contends that petitioner is sought to be falsely implicated for extraneous considerations. There is no medical evidence on record to

corroborate the allegations as raised. Furthermore, the challan/final report under Section 173 Cr.P.C. in this case already stands presented. Petitioner undertakes that he would not try to contact the victim or any of her family members in any manner and there is no question of his trying to influence any of the witnesses. It is thus prayed that this petition be allowed.

Heard learned counsel for the parties.

The petitioner is alleged to have molested and attempted to rape the alleged victim i.e. a thirty two year old daughter of the complainant. Victim is stated to be mentally weak though no details thereof are forthcoming to indicate nature of disability if any suffered by the victim.

Learned counsel for the State on instructions from ASI Baldev Singh verifies that the challan/final report under Section 173 Cr.P.C. stands presented. Learned counsel for the State further verifies that petitioner is not involved in any other criminal case. Though learned counsel for the State argues that specific allegations of attempt to rape have been raised against petitioner, it is not denied that there is no medical evidence on record and that petitioner is not involved in any other criminal case.

There is no allegation that the petitioner is likely to abscond or influence witnesses. In view of the peculiar situation, which has been created due to the outbreak of the pandemic COVID-19 and the fact that trial in this case is not likely to be concluded in the near future, no useful purpose would be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. Petitioner be released on bail pending trial subject to

their furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court/CJM/Duty Magistrate, Amritsar.

It is made clear that in case, petitioner tries to contact the victim or any of her family members, the concession of bail afforded to him may be cancelled.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

20.05.2021
Sunil

(LISA GILL)
JUDGE

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