

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-19005-2021

Date of decision: 21.05.2021

Teg Ali

.....Petitioner

versus

State of Punjab and Anr.

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Manuj Nagrath, Advocate for the petitioner.

Mr. Manreet Singh Nagra, Asst. A.G. Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Teg Ali, stated to be aged 40 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.233 dated 20.09.2020, registered u/s 363, 365, 376-D, 506 of IPC (Sections 366, 366-A of IPC added later on), at Police Station Shri Hargobindpur, Police District Batala, Gurdaspur.

Learned counsel for the petitioner, based on the pleadings, submits that the FIR is dated 20.09.2020. On 15.01.2021, the prosecutrix (major in age) in her statement did not name the petitioner.

On instructions from SI Swamberjit Singh, learned State counsel submits that the prosecutrix herself on 15.01.2021 had given a statement

before the Court of Judicial Magistrate First Class, Batala. He further submits that the challan in this case was presented and there are total of 15 witnesses, but none has been examined till date. Learned State counsel is not disputing the factual position, however, opposes the bail on merits.

Faced with the situation, learned counsel for the petitioner submits that the petitioner is in custody since 20.02.2021 and in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

21.05.2021

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No