

CRM-M-19059-2021

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

CRM-M-19059-2021

Date of decision: 28.06.2021

Sansar Chand

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ritesh Pandey, Advocate,
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.152 dated 07.11.2019, registered at Police Station Dina Nagar, District Gurdaspur, under Sections 363, 366, 370 and 376 IPC.

Learned counsel for the petitioner contends that the material witnesses i.e. prosecutrix (PW 1), her father (PW 2) and her mother (PW 3), while deposing before the trial Court, have not supported the prosecution version and have been declared hostile. The petitioner has been in custody for the last 01 year and 07 months approximately. In such circumstances, he prays that the petitioner be granted the benefit of regular bail.

On the other hand, learned State counsel opposes the submissions made by the learned counsel for the petitioner. However, after

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going through the statements of the aforesaid three material witnesses, he submits that they have turned hostile and not supported the prosecution version.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last 01 year and 07 months approximately. Trial of the case would take time to conclude, especially in the wake of outbreak of global pandemic, namely, COVID-19. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

28.06.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No