

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

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**CRM-M-21564-2021(O&M)
Decided on :28.06.2021**

RANI AND ANOTHER

. . . Petitioner(s)

Versus

UT CHANDIGARH

. . . Respondent(s)

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

PRESENT: Mr. Harish Mehla, Advocate
for the petitioner.

Mr. Ashu Mohan Punchhi, P.P. UT Chandigarh
assisted by ASI Rajesh Saroha.

MANJARI NEHRU KAUL, J. (Oral)

At the outset, learned counsel seeks permission to withdraw the
petition qua petitioner No.1-Rani.

Allowed as prayed for.

The instant petition has been filed under Section 439 Cr.P.C.,
for grant of regular bail to the petitioner in case FIR No.20, dated
26.02.2021 under Sections 323, 354-A, 354-C, 376, 506, 509 and 120-B of
the IPC, registered at Police Station Mauli Jagran, Chandigarh.

Learned counsel contends that the perusal of the FIR in
question clearly reveals that the only role attributed to the petitioner No.2-
Ajit Singh is to the effect that he left his daughter i.e. the prosecutrix at the
house of her maternal aunt i.e. petitioner No.1-Rani after the prosecutrix
was pulled up by her mother for serving food to petitioner No.2-Ajit Singh.
Learned counsel submits that no allegations have been levelled against
petitioner No.2 which would in any way attract the mischief of Sections
323, 354-A, 354-C, 376, 506, 509 and 120-B of the IPC. Learned counsel

further contends that the main role attributed in the crime in question is only qua co-accused Brij Pal (non-applicant) and petitioner No.1-Rani. It has been submitted that the petitioner has been in custody since 23.03.2021 and only challan has been 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 Rajesh Saroha has not been able to controvert the factual aspect with respect to the allegations levelled in the FIR in question against the petitioner No.2-Ajit Singh.

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 No.2-Ajit Singh 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 No.2-Ajit Singh 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

June 28, 2021

S.Sharma(syr)

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