

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

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CRM-M-21539-2021

Date of Decision: June 11, 2021

Shabaz

.....Petitioner.

VERSUS

State of UT Chandigarh

.....Respondent.

CORAM:- Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Suveer Sheokand, Advocate for
Mr. Mohit Garg, Advocate
for the petitioner.

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-Shabaz, stated to be aged 25 years, has filed the present petition *inter alia* with a prayer for grant of regular bail to him in case FIR No.174 dated 19.11.2020 (Annexure P-1) registered under Sections 363, 366 of Indian Penal Code, at Police Station Mani Majra, Chandigarh.

Learned counsel for the petitioner submits that petitioner is a young boy aged 25 years and is in custody since 20.11.2020. Learned counsel for the petitioner further submits that the victim in her statement under Section 161 or 164 Cr.P.C. had not stated that petitioner had seduced or forced her to illicit intercourse.

Notice of motion.

Mr. D.S. Brar, APP accepts notice on behalf of respondent-UT, Chandigarh.

Learned APP for respondent-UT Chandigarh, on instructions from ASI Kuldeep Singh, submits that investigation in this case is complete. Challan was presented on 12.01.2021. Charges were framed on 15.03.2021. There are total 14 witnesses and none has been examined till date.

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

June 11, 2021.
Sachin M.

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*