

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Through video conferencing)**

229

**CRM-M-22336-2021
Date of Decision: 29.06.2021**

GURLAL SINGH

... Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arshit Goel, Advocate
for the petitioner.

Mr. Manreet Singh Nagra, AAG, Punjab.

Mr. Varun Dhawan, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.(Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.215 dated 18.12.2020 lodged under Sections 120-B, 376-D and 313 of the Indian Penal Code, at Police Urban Estate, Patiala.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand which is evident from the deposition of the prosecutrix before the trial Court wherein she did not support the case of the petitioner. In support of his submissions, he has invited the attention of this Court to the deposition of the prosecutrix annexed as P-3 wherein she categorically stated that she had been in a live-in-relationship with the

petitioner and during the said relationship she had conceived, however, her pregnancy got terminated due to some weakness. Learned counsel further submits that the prosecutrix is a material witness and her evidence stands concluded and hence there is no likelihood of the petitioner influencing the prosecution witnesses in his favour.

Per contra, learned State counsel while opposing the prayer on instructions from SI Sandeep Kaur has not been able to controvert the factum of the prosecutrix having turned hostile during the trial.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 07.09.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19. The present petition is, thus, allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

29.06.2021
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No