

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

(Through Video Conferencing)

CRM-M-25988-2021 (O&M)

Date of Decision: 10.08.2021

SANJEET MEHTA

.....Petitioner

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Kamalpreet Bawa, Advocate,
 for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case FIR No.55 dated 29.06.2020 lodged under Sections 14, 15 of the POCSO Act, 2012 and Section 67-B of the Information and Technology Act (Section 201 of the IPC added later on) registered at Police Station Samalsar, District Moga, Punjab.

On a pointed query was put to the learned counsel for the petitioner as to what were the changed circumstances pursuant to the dismissal of the previous petition filed under Section 439 of the Cr.P.C, 1973 by this Court, he has apprised this Court that the similarly situated co-accused Veer Singh has since been granted the concession of anticipatory bail vide order dated 29.07.2020 passed by this Court in **CRM-M-20821-2020** which was not in his knowledge at the time of withdrawal of the previous petition.

Learned counsel for the petitioner further submits that the petitioner is in custody since 21.08.2020 and the allegations levelled in the FIR in question are identical to that of the co-accused/Veer Singh, who has since been granted concession of bail. Hence, he too be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Gurnaib Singh, has very fairly conceded that the case of the petitioner is at parity with that of co-accused/Veer Singh. He further submits that the charges are likely to be framed before the trial Court on the next date of hearing and the delay has been only on account of the outbreak of COVID-19.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 21.08.2020, the present petition is 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.

August 10, 2021
Ess Kay

[MANJARI NEHRU KAUL]
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>