

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

210

CRM-M-40041-2020 (O&M)

Decided on : 03.08.2021

SAHABUDDIN

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

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

PRESENT: Mr.Mohammad Arshad, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG Haryana
assisted by SI Jitender.

MANJARI NEHRU KAUL, J. (Oral)

Prayer in the instant petition filed under Section 439 Cr.P.C., is for grant of regular bail to the petitioner in case FIR No.557, dated 01.09.2018 under Sections 370, 376, 376-D,323, 506 and 120-B of the IPC; Section 6 of the POCSO Act and Section 5 of the Immoral Traffic (Prevention) Act registered at Police Station Nuh, District Nuh.

In compliance of order dated 22.03.2021, report from the Court concerned has been received and perused.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 11.08.2018 and the trial has not yet concluded, hence he be extended the concession of bail.

Per contra, learned State counsel while vehemently opposing the prayer and submissions of the learned counsel for the petitioner on instructions from SI Jitender has submitted that the delay in the conclusion of trial has been on account of the outbreak of the pandemic. She has further

submitted that there are serious allegations against the petitioner of violating the person and modesty of a 07 years old girl, who happens to be none other than his own daughter. Learned State counsel has also apprised the Court that prosecution evidence is nearing conclusion as only 2 prosecution witnesses remain to be examined.

Heard.

In view of the submissions made by learned counsel for the parties, I do not deem it a fit case for grant of the concession of regular bail to the petitioner. However, the trial Court shall endeavour to expedite the trial and conclude the same preferably within 06 months from today. It is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

August 03, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*