

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

**CRM-M No.43301 of 2020
Date of Decision : 05.01.2021**

Manjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ravi Gakhar, Advocate
for the Petitioner.

Mr. B.S. Sewak, Addl. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.302, dated 28.09.2020, registered under Sections 376, 354-A, 354-B, 427, 457, 342, 506, 323, 148, 149 of the Indian Penal Code, at Police Station Beas, District Amritsar Rural.

2. The Petitioner has remained in detention for almost 03 months since 10.10.2020.

3. Ld. Counsel for the State submits that after completion of investigation, Challan has already been submitted against the Petitioner on 13.11.2020.

4. Ld. Counsel for the Petitioner has drawn attention of the Court to the fact that not only the parties have compromised their dispute, but even the FIR itself does not disclose any actual violent sexual intercourse to have been committed on the Complainant/Prosecutrix, and that the offence at the most applicable to the Petitioner would be of having pressed her face and closed her mouth with his hands.

5. Trial in the case is yet to commence and even the charges are yet to be framed.

6. In the circumstances, without commenting upon the other merits of the case and keeping in view the fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not called for. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

7. Disposed off.

January 05, 2021
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No