

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

**CRM-M No.43803 of 2020
Date of Decision : 06.01.2021**

Vinod Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Shashikant Gupta, Advocate
for the Petitioner.

Mr. Vishal Malik, Dy. Advocate General, Haryana
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.525, dated 23.09.2020, registered under Section 452 of the Indian Penal Code, 1860 and Section 8 of the POCSO Act, 2012 at Police Station City Narnaul, District Mahendergarh.

2. The Petitioner has remained in detention for more than 03 months since 30.09.2020.

3. Ld. Counsel for the Petitioner has drawn attention of the Court to the fact that according to the FIR, the Petitioner could not succeed in any actual aggravated sexual offence and the allegation against him is that he had caught hold of the Complainant's hand and tried to molest her at which time the Complainant raised a hue and cry after which her sister Pooja rushed to the spot and the Petitioner then fled away.

4. After completion of investigation, Challan against the Petitioner has already been submitted, but trial could not commence due to the outbreak of Covid-19 Pandemic. Moreso, the charges are yet to be framed.

5. 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.

6. Disposed off.

January 06, 2021
Dpr

(SUDIP AHLUWALIA)
JUDGE

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