

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

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**CRM-M-45230-2019(O&M)
Decided on : 24.03.2021**

JASPAL SINGH @ JASSA SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Nagar Singh for Ms. Sukhpreet Kaur, Advocate
for the petitioner.

Mr. S.P. Singh for Mr. B.S. Bhalla, Advocate
for the complainant.

Ms. Monika Jalota, DAG Punjab
assisted by ASI Gurjit Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.111, dated 13.10.2018 under Sections 376, 341 and 120-B of the IPC (Section 376-D IPC added later on) registered at Police Station Bhindi Saidan, District Amritsar Rural.

2. Learned counsel has invited the attention of the Court to the FIR in question, contents of which clearly reveals that no sexual assault was attributed to him in the alleged crime. Learned counsel submits that in fact a false case has been foisted upon him on account of some family dispute between the parties. He further submits that the only role attributed to the petitioner is that he held the hands of the complainant when she was allegedly violated by his brothers who are co-accused in case. Learned counsel contends that the petitioner has been in custody since 26th May, 2019 and there is no likelihood of the trial concluding any time in the near

future as only 06 out of 18 prosecution witnesses cited have been examined so far which also includes the prosecutrix.

3. *Per contra*, learned State counsel on instructions from ASI Gurjit Singh has not been able to controvert the factual aspect of the submissions so made by the learned counsel for the petitioner qua the role attributed to the petitioner in the alleged crime.

4. Heard.

5. In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 24, 2021

S.Sharma(syr)

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