

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

CRM-M No.52797 of 2019(O&M)

Date of Decision:03.09.2021

(Heard through VC)

Irfan Akhtar

..Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Hoshiar Singh Jaswal, Advocate
for the petitioner.

Mr. A.M. Punchhi, PP , U.T.Chandigarh.

JAISHREE THAKUR, J. (ORAL)

This is a petition for grant of regular bail to the petitioner in FIR No.428 dated 09.10.2017 under Section 363 IPC(Sections 376, 506, 120-B IPC and Section 4 of the POCSO Act added later on) registered at Police Station Sector 39, Chandigarh.

Counsel for the petitioner would pray for grant of regular bail to the petitioner by contending that the petitioner has been in custody since 08.01.2018. It is also contended that this Court by its previous orders had been giving direction to the trial Court to complete the prosecution evidence within a reasonable time.

Learned counsel appearing on behalf of the respondent-State would submit that the entire prosecution evidence had been completed on 08.07.2021 and the delay caused in completing the said evidence was on account of COVID pandemic when the Courts itself were not functional. However, since the evidence of the prosecution has been completed, it is now for the defence to conclude its evidence and the defence itself has

sought three adjournments in this regard.

I have heard counsel for the parties as well as perused the orders passed on 10.02.2021, 19.05.2021 and 27.05.2021. It is well known fact that the working of the Courts came to absolute halt on account of COVID pandemic which has lasted for almost a year and half with intermittent working of the Courts in between. However, since the evidence of the prosecution has been completed and defence itself has not concluded its evidence despite three opportunities being made available, there is no ground for regular bail being allowed to the petitioner at the present moment as the trial is at its fag end.

Consequently the instant petition stands dismissed.

September 03, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No