

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

265

CRM-M No.38054 of 2020

Date of Decision : 06.09.2023

Manpreet Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Jageeep Kaur, Advocate for
Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Harjinder Singh Sidhu, AAG Punjab.

ALKA SARIN, J. (Oral)

1. On 04.09.2023 the following order was passed :

*"In the present case, vide order dated 26.11.2020
the petitioner was granted interim bail and the following
order was passed :*

*"All cases listed today have been taken up for
hearing by way of video conferencing because of
the situation existing due to the COVID-19
pandemic.*

*This petition has been filed under the provisions of
Section 439 of the Cr.P.C. seeking 'regular bail'
for the petitioner in case FIR no.227, dated
10.10.2019, registered at Police Station Lambi,
District Sri Muktsar Sahib, for the alleged
commission of offences punishable under Sections*

376-D and 458 of the IPC read with Section 120-B thereof and Section 4 of the Protection of Children from Sexual Offences Act, 2012 and Section 61 of the Information and Technology Act, 2000.

Learned counsel for the petitioner submits that, firstly, there is no medical evidence etc. at all with regard to any rape having been committed, with not even a single scar on a girl who is alleged to be 13/15 years old.

He further submits that the petitioner has been in custody since 10.10.2019, i.e. for more than one year and one month, with the trial not having progressed at all since February when charges were framed.

He next submits that there is no other criminal case registered against the petitioner.

He further submits that the petitioner is a 19 year old boy.

Upon query to learned State counsel, he on instructions from Sub-Inspector Amrik Singh, submits that the factual position of course is not denied but the charges being serious, the petitioner does not deserve the concession of bail.

Simply looking, at this stage, the period of custody of the petitioner and the stage of the trial, he is ordered to be admitted to interim bail to the

satisfaction of the learned trial court/CJM/Duty Magistrate concerned, till the next date of hearing before this court.

Adjourned to 01.03.2021.

A gazetted officer is directed to file a reply to the petition by the next date of hearing.”

Learned counsel for the State on instructions from ASI Jaswinder Singh has contended that since 03.08.2022 the petitioner has not attended the Court proceedings and now non-bailable warrants have been issued qua him returnable 23.10.2023.

On the previous date i.e. 13.07.2023, none had put in appearance on behalf of the petitioner. Today a request for an adjournment has been made on behalf of arguing counsel for the petitioner on the ground that he is busy before a co-ordinate Bench of this Court.

In the interest of justice, adjourned to 06.09.2023.”

2. Learned State counsel, on instructions from HC Mandeep Singh, today has reiterated that the petitioner has not attended the Court proceedings and now non-bailable warrants stand issued *qua* him returnable 23.10.2023.

3. Learned counsel for the petitioner states that the present petition may be disposed off on the basis of statement made by learned State counsel.

4. In view of the fact that the petitioner has jumped the interim bail granted to him vide order dated 26.11.2020, the present petition is dismissed. Pending applications, if any, also stand disposed off.

06.09.2023

jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO