

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

Crl.Misc.No.M-11421 of 2014(O&M)

Date of Decision : 15.7.2015

Mukul

....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Anurag Chopra, Advocate for the petitioner

Mr. Jaspreet Singh Sekhon, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of pre-arrest bail in terms of Section 438 Cr.P.C in case FIR no. 5 dated 3.1.2014 registered under Sections 354-A/306 IPC (added later on) and Sections 11/12 of Protection of Children from Sexual Offences Act, 2012 at Police Station Passiana, District Patiala.

The allegations in the occurrence relate to the petitioner and a few other boys who were alleged to be involved with the deceased who is daughter of the complainant and were threatening to disclose her photographs in objectionable positions by uploading them on the social sites. Jasmin daughter of the complainant was found dead and upon further investigation, the offence under Section 376 IPC was also added apart from the one under Section 306 IPC and 354-A IPC and Section 11 and 12 of the Protection of Children from Sexual Offences Act, 2012. The petitioner namely Mukul was also named as one of the members of the group.

A Special Investigating Team was constituted which has found

that the petitioner and few others namely Sushank Mishra and Misha Shaghar were innocent though Lavish Thapar was prime accused against whom challan has also been submitted. This Court had granted interim protection to the petitioner on 3.4.2014 much prior to the constitution of the Special Investigating Team.

On due consideration of the matter and finding that the Special Investigating Team has found the petitioner to be innocent, I deem it appropriate to accept the petition to confirm the interim directions dated 3.4.2015, however subject to the condition that the petitioners continue to comply with the provisions of Section 438(2) Cr.P.C. Petition stands allowed.

July 15, 2015
rekha

(Mahesh Grover)
Judge