

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

CRM-M 12959 of 2015

Date of decision : 19.05.2015

Tajudin & anr.

....Petitioners

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Bhatia, Advocate for the petitioners.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioners vide FIR No. 11 dated 29.01.2014 under Section 376-D IPC and section 4, 8 of Protection of Children Act, 2012 at Police Station Adampur, District Jalandhar.

Learned State counsel, on instructions from S.I. Rajiv Kumar, who is present in court, at the outset submits that petitioner no. 2 is a proclaimed offender in some other case and is not entitled to concession of pre-arrest bail.

Mr. Bhatia submits that he may be allowed to withdraw this petition in respect of petitioner no. 2 with liberty to surrender before the trial court within 10 days from today.

Dismissed as withdrawn qua petitioner no. 2 with aforesaid liberty.

As regards petitioner no. 1, learned counsel submits that he has been summoned in exercise of power under section 319 Cr.P.C. He was declared innocent by the investigating agency.

Under the circumstances, petition qua petitioner no. 1 is disposed of with the direction that in case he surrenders before the trial court within ten days from today, he shall be admitted to bail subject to conditions envisaged by section 438(2) Cr.P.C. or any other condition(s) deemed fit to be imposed by the trial court.

May 19, 2015

Ajay

(RAJAN GUPTA)
JUDGE