

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

CRM-M-43133-2014 (O&M)

Date of decision : 17.08.2015

Naval Kishore

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Chanchal K. Singla, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Sukhchain Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in case FIR No.85 dated 02.06.2013, under Sections 377/506 of the Indian Penal Code, registered at Police Station Cantt. Ferozepur.

The learned counsel for the petitioner contends that the petitioner was arrested on 02.06.2013 and thereafter, released on regular bail by this Court vide order dated 29.08.2014, passed in CRM-M-25814 of 2014. Now, the complainant has moved an application, Annexure P-1, praying for committal of the present case to the Court of

Sessions, in view of the amendment in the definition of rape by Criminal Amendment Act of 2013, which is pending consideration before the learned Chief Judicial Magistrate, Ferozepur. It is submitted that the petitioner apprehends his arrest, in case, the application so moved by the complainant, is allowed.

Heard.

Keeping in view the fact that the petitioner has already been admitted to bail by this Court vide order dated 29.08.2014, and there is no allegation that he tried to misuse the concession granted to him, without expressing any opinion on the merits of the case, the present petition is allowed with a direction that in the event of arrest of the petitioner in the instant case or in the event of his appearance before the Court, he be released on bail on furnishing fresh bail bonds and surety bonds, to the satisfaction of the arresting officer/trial Court, as the case may be.

17.08.2015
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(JITENDRA CHAUHAN)
JUDGE

Note : Whether to be referred to reporter ? Yes / No