

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-21019 of 2016
Date of Decision: 14.07.2016**

Binder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vivek Goyal, Advocate
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

ANITA CHAUDHRY, J (ORAL)

Through the instant petition, the petitioner is seeking anticipatory bail in case FIR No. 27 dated 21.2.2016, registered under Sections 363, 366-A IPC, Police Station Dharamkot, District Moga.

Counsel for the petitioner states that petitioner is the cousin of Avtar Singh. Lakhvir Kaur and Avtar Singh had approached the High Court for protection in February 2016. In the statement under Section 164 Cr.P.C. the girl has not levelled any allegation against the petitioner.

State counsel submits that in the statement of the girl recorded under Section 161 Cr.P.C. the allegation under Section 376 IPC has been levelled even against the petitioner and offence under Section 376 IPC has been added.

A perusal of the record available with the police shows that the girl was initially sent to Ashram but now she is living with her parents.

Counsel for the petitioner states that pursuant to the order dated

15.6.2016, passed by this Court, the petitioner has joined the investigation.

State counsel states that the petitioner has joined the investigation.

Looking to the circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 15.6.2016 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

(ANITA CHAUDHRY)
JUDGE

July 14, 2016
Gurpreet