

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

Criminal Misc. No.M- 12159 of 2017(O&M)

Date of Decision: July 14 , 2017.

Balkar Chand @ Baggi PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Ms. Simsi Dhir Malhotra, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Mohd. Yousaf, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

CRM No.21564 of 2017

Compromise dated 18.05.2017 between the parties is taken on record subject to just exceptions. Filing of true typed copy thereof is dispensed with.

CRM is disposed of.

CRM No.M-12159 of 2017

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.27 dated 14.03.2017 registered under Sections

354/354D/506 IPC and Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Kartarpur.

This Court while issuing notice of motion, passed the following order on 07.04.2017:-

“It is contended that that no offence punishable under Sections 354 & 506 of the IPC and under Section 7 and 8 of Protection of Children from Sexual Offences Act, 1807 is made out and the petitioner has been falsely implicated on account of money transactions with the father of the alleged victim.

Notice of motion for 12.05.2017.

In the meantime, the petitioner shall appear before the Investigating Officer and fully cooperate in the investigation of this case. In the event of his arrest, petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438 (2) Cr.P.C.”

Short reply dated 13.07.2017 by way of affidavit of Mr. Sarabjit Rai, PPS, Deputy Superintendent of Police, Sub Division Kartarpur, District Jalandhar (Rural) on behalf of respondent-State detailing the cases against the petitioner, is taken on record subject to just exceptions. A list of five cases has been mentioned and the petitioner has been acquitted in three of the said five cases. He has been convicted in two of the cases which are under the Excise Act.

Learned counsel for the petitioner submits the petitioner has been falsely implicated in this case. It is further submitted that the matter has been compromised between the parties. Settlement dated 12.07.2017 is placed on record. It is thus prayed that this petition be allowed.

Learned counsel for the complainant submits that he has no objection in case this petition is allowed and the petitioner is granted the concession of anticipatory bail.

Learned counsel for the State, on instructions from HC Anil Kumar, submits that the petitioner has joined investigation and he is not required for custodial interrogation. No recovery is to be effected from him.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 07.04.2017 is made absolute.

July 14 , 2017.
'om'

(**LISA GILL**)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No