

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

Crl. Misc. No. M-22580 of 2017

Date of Decision : September 20, 2017

Malkit Singh @ Baba Mika Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

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Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

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LISA GILL, J. (Oral)

The petitioner seeks the concession of anticipatory bail in FIR No. 40 dated 14.05.2017 under Sections 354/323 IPC (Section 34 IPC and 8 of the Protection of Children from Sexual Offences Act, 2012 added later on) registered at Police Station Fattu Dyinga, District Kapurthala

Submissions on behalf of the petitioner noted while issuing notice of motion read as under:-

“This is a petition for the grant of anticipatory bail to the petitioner in case FIR No. 40 dated 14.05.2017 registered at Police Station Fattu Dyinga, District Kapurthala (Punjab), for the offence under Sections 354/323 IPC (Section 8 of POCSO Act, 2012 added later on).

Learned counsel for the petitioner states that this is a version

and cross version case. He further states that the matter has been compromised between the parties.”

It is further informed that CRM-M-23362 of 2017 and CRM-M-23272 of 2017 have been filed for quashing of the aforesaid FIR as well as the cross case in question. Moreover, the petitioner has joined investigation. He is ready and willing to face trial and shall not abuse the concession of anticipatory bail in any manner if granted to him. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Paramjit Singh, affirms that the petitioner has indeed joined investigation pursuant to order dated 23.06.2017 passed by this Court and his custodial interrogation is not required. No recovery is to be effected from him. It is verified that he is not involved in any other case. There is no allegation that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition. Consequently, order dated 23.06.2017 is made absolute.

20.09.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No