

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM No. M-44804 of 2016
Date of decision: 26.04.2017****Chamkor Singh****..... Petitioner.****Versus****State of Punjab****..... Respondent.****CORAM: HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Dhawaljeet Dutta, Advocate, for the petitioner.

Mr. Deep Singh, AAG, Punjab.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 57 dated 19.07.2014, registered under Sections 363 and 366-A of the Indian Penal Code (for short 'IPC') & Section 8 of the Protection of Children from Sexual Offences Act, 2012, later Section 376 of the IPC and Sections 3, 4 of the Protection of Children from Sexual Offences Act, 2012 was added at Police Station Fatehgarh Chhurian, District Gurdaspur.

It is submitted that the petitioner had initially been afforded the concession of bail in this case on 27.08.2014. He could not come present before the learned trial Court on 08.07.2015 due to unavoidable circumstances but he was once again admitted to bail by the learned trial Court on 30.03.2016. However, the offences punishable under Section 376 of the IPC and Sections 3, 4 of the Protection of Children from Sexual Offences Act, 2012 did not find mention in the said order. The above said Sections were added on 28.11.2014. The alleged victim is the petitioner's wife and there is a child born out of this wedlock (it is submitted that due to an inadvertent mistake it was earlier mentioned that there are two children as reflected in order dated 22.03.2017). The petitioner has appeared before the

learned trial Court on 28.03.2017, pursuant to interim order dated 22.03.2017 passed by this Court. It is, thus prayed that this application be allowed.

Learned counsel for the State on instructions from ASI Dalwinder Singh verifies the factual position as above. It is affirmed that the petitioner has appeared before the learned trial Court on 28.03.2017 and was admitted to interim bail. There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of case, this petition is disposed of with a direction that the interim bail granted to the petitioner by the learned trial Court be made absolute, subject to his furnishing fresh bail bonds and surety bonds to the satisfaction of the learned trial Court

(LISA GILL)
JUDGE

26.04.2017

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Whether speaking/reasoned : *Yes/No.*

Whether reportable : *Yes/No.*