

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

**CRM No.M-46356 of 2016
Decided on: 03.08.2017**

Jatinder Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. H.S. Aujla, Advocate for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

Mr. Gaurav Talwar, Advocate for respondent No.2.

ARVIND SINGH SANGWAN, J. (Oral)

The present petition has been filed seeking anticipatory bail in FIR No.4 dated 15.10.2016 for offence punishable under Sections 377, 511 of the Indian Penal Code and 8 of the Protection of Children from Sexual Offences Act registered at Police Station NRI, Patiala, District Patiala.

Learned counsel for the petitioner has submitted that the petitioner has already joined investigation in terms of order dated 30.05.2017 passed by this Court and is ready to face the proceedings, in accordance with law.

Counsel for the State, on instructions from ASI Rajinder Singh, concedes to this position that the petitioner has joined investigation and custodial interrogation of the petitioner is not required.

Counsel for the complainant has opposed the prayer for bail on the ground that the allegations are serious in nature and the

victim is a 09 years old boy.

Heard.

Vide order dated 20.01.2017 while issuing notice to respondent No.2 this Court had noticed that in fact this incident was reported to the police after a long lapse of 04 years and in the intervening period, the parents of the victim has visited India but no complaint was lodged.

In view of the above, the petition is allowed and interim bail granted to the petitioner vide order dated 30.05.2017 is made absolute. However, it will be open for the prosecution to apply for cancellation of bail in case, at any stage, it is found that the petitioner has misused the concession of bail or threaten the complainant or any of his family members during the course of trial. The petitioner shall make himself available before the Investigating Officer for any further interrogation and will not leave India without prior permission of the Court.

(ARVIND SINGH SANGWAN)
JUDGE

03.08.2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No