

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-20610 of 2017
Date of Decision: 16.1.2018**

Sanjeev Kumar Mittal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Petitioner in person along with
Mr. S.K.Garg Narwana, Senior Advocate with
Mr. Naveen Gupta, Advocate.

Mr. Rajbirinder S. Chahal, Addl. A.G., Punjab

Respondent No. 2 along with
Mr. Yogesh Goel, Advocate.

ANITA CHAUDHRY, J (ORAL)

Through the instant petition, the petitioner is seeking anticipatory bail in case FIR No. 57 dated 4.5.2017, registered under Sections 354 IPC and Section 8 of POCSO Act, Police Station Division No. 8, Ludhiana.

The Assistant Commissioner of Police (West), Ludhiana has filed his affidavit. Along with the affidavit, there are the statements given by daughters of the petitioner recorded by the police when they were joined for investigation. The daughters had given hand written statements.

The petitioner had been directed to join the investigation. He had also been asked to deposit the litigation expenses and those were deposited. The parties were referred for mediation. Both the parties along

with their daughters are present in the Court. While deliberations were going on, the daughters were asked to go outside the Court.

The record shows that the wife had lodged a complaint against her husband alleging that he had molested his daughters. The FIR had been cancelled. The report had been submitted before the Court which was not accepted and it has been sent back for further investigation. Custodial interrogation of the petitioner is not necessary.

Looking to the circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 2.6.2017 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

January 16, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No