

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

206

Criminal Misc. No.M-23371-2017

Date of Decision: April 17, 2018.

SANTOKH SINGH

..... PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Vikas Bali, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

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.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.125 dated 28.05.2017, under Sections 323, 354-B, 506, 148, 149 IPC and under Section 8 of The Protection of Children from Sexual Offences Act (for short, 'the Act') registered at Police Station Sadar Jalandhar, District Jalandhar.

It is contended that the petitioner has been falsely implicated in this case. Even the alleged eye witnesses of the incident have specifically stated that no such incident as detailed in the FIR took place. It is further submitted that the complainant and other persons forcibly entered in the petitioner's house and inflicted injuries to the petitioner as well as his family

members. Learned counsel for the petitioner submits that the petitioner has joined investigation and he undertakes to face the proceedings and not misuse the concession of anticipatory bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI-Avtar Singh verifies that the petitioner has joined investigation. On enquiry, the offences punishable under Section 354-B and Section 8 of POCSO Act are recommended to be deleted. The said enquiry has been approved by the Commissioner of Police, Jalandhar on 24.03.2018. It is further informed that petitioner is not involved in any other criminal case. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

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 10.07.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

April 17, 2018
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(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No