

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

Crl. Misc. M-25717 of 2018 (O&M)
Date of Decision: October 30, 2018

Gautam Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Pritpal Singh Miglani Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.06 dated 15.01.2018, under Sections 354, 341, 506, 509, 34 of the Indian Penal Code and Section 8 of POCSO Act, registered at Police Station City Samana, District Patiala.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

At this stage, Mr. Sanjeev Kumar, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken

on record and opposes the confirmation of anticipatory bail to the petitioner.

Per contra, learned State counsel, on instructions from the Investigating Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

I have heard learned counsel for the parties.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 12.06.2018 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.

October 30, 2018

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No