

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-30895 OF 2018(O&M)
Date of decision : December 17, 2018

Akash Kumar

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Munish Garg, Advocate, for the petitioner
Mr. Saurabh Khurana, DAG, Punjab, for the State

Fateh Deep Singh, J. (Oral)

The allegations in this Ist anticipatory bail of case against petitioner Akash Kumar accused in this case bearing FIR No. 226 dated 22.7.2017 under Sections 323, 341, 354 IPC and Section 8 of the Protection of Child Sexual Offences Act, 2012, Police Station City Barnala are that the present case was registered by the complainant unmarried girl then aged 17 years at the time of occurrence alleging that on the day of occurrence i.e. 22.7.2017 around 11.15 AM when the prosecutrix and her sister were going for their avocation, three persons riding on a motorcycle bearing No. PB-19-N-5022 stopped and one of the boys asked the prosecutrix why she was scowling at him and thereafter both the sides entered into a scuffle leading to the registration of the case in which name of the petitioner has been

subsequently cropped up.

Learned counsel for the petitioner at the very onset had submitted that the parties have effected compromise and that he has placed on record true certified copy of the original agreement of compromise entered into between the parties on 22.1.2018 and thus prayed for grant of bail.

Learned State counsel on instructions from SI Atamjit Singh, PS City Barnala accepts that the petitioner has since joined the investigation and did not dispute the factum of the compromise between the two sides.

Keeping in view the stand of the two sides and that the petitioner is not hauled up for commission of any serious offences and it would be in the interest of justice together with the fact that the petitioner has joined the investigations and his anticipatory bail is not opposed, the interim bail granted to the petitioner vide order dated 7.8.2018 is made absolute till submission of report under Section 173 Cr.P.C. (challan). Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. The petitioner shall abide by the conditions laid down in Section 438(2) Cr.P.C.

With these observations, the present petition stands disposed off.

December 17, 2018

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No