

204.

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

CRM-M-35032-2018

Date of decision:10.04.2019

SURAJ

... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Surinder Thakur, Advocate,
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab.

Mr. Jasraj Singh, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.99 dated 22.07.2018 registered under Sections 354, 354-A, 506, 34 of IPC and Section 11 of POCSO Act, 2012 at Police Station Bullowal, District Hoshiarpur.

On 13.09.2018, this Court passed the following order:-

“Learned counsel for the petitioner states that as a matter of fact there was a dispute regarding parking of vehicles and the present case has been planted upon him by the police without the petitioner being at fault and petitioner has got sufficient evidence to show that he was not present at the spot at the relevant time.

The petitioner is directed to join investigation by contacting the Investigating Officer within 5 days from today and render all sort of cooperation. The petitioner has to surrender his Passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. The next date of hearing is fixed as 21.11.2018. If, in the meanwhile, he is arrested, he be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned State counsel, on instructions from ASI Major Singh, states that pursuant to the aforesaid order, the petitioner has joined the investigation. However, the petitioner has neither surrendered the passport nor furnished an affidavit to the effect that he does not possess the passport.

Faced with this situation, learned counsel for the petitioner undertakes to comply the said order.

Considering the undertaking given by counsel for the petitioner, the order dated 13.09.2018 passed by this Court whereby the petitioner was granted interim bail, is made absolute.

Accordingly, present petition is allowed.

However, the petitioner shall deposit the passport with the I.O. within three days from today and in case he has not been issued any passport, he shall furnish an affidavit to that effect.

For non-compliance of the aforesaid order, the present petition shall deem to have been dismissed without any further notice to the petitioner.

At this stage, counsel for the complainant states that the petitioner is involved in other cases as well. He further states that after

been added in place of Section 11 of the POCSO Act.

The SHO concerned shall keep a vigil on the conduct of the petitioner.

(HARI PAL VERMA)
JUDGE

10.04.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No