

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23123-2019 (O&M)

Date of Decision:-9.9.2019

Sikandar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.17 dated 24.3.2019 at Police Station Kacha Pacca, District Tarn Taran under Section 354 of Indian Penal Code and Sections 7/8 of POCSO Act, 2012.
2. Mr. Malkiat Singh Hundal, Advocate has today put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record.
3. The FIR was registered at the instance of Sarabjit Singh @ Sabu, wherein it has been alleged that on 24.3.2019, when he was returning back home alongwith his nephew Harwinder Singh @ Bali and reached in front of the door of his house, he saw that the petitioner Sikandar Singh @ Kandar was holding the arm of his daughter in the courtyard of his house and was doing objectionable acts and was trying to take her inside the room, while his daughter was resisting the same.

4. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, even if, the FIR is taken to be correct, still the only allegation against him is that he was pulling the arm of the complainant's daughter.
5. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and it is a case where the complainant's daughter is a minor aged barely 16 years, no case for grant of bail is made out. It has, however, been informed that pursuant to interim directions issued by this Court, the petitioner has already joined investigation and has also deposited the amount of ₹50,000/- as directed vide order dated 31.5.2019.
6. Having regard to the nature of allegations and the fact that the petitioner has already joined investigation, the present case is not such, which would warrant custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.5.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

9.9.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No