

CRM-M-36904-2019

Date of Decision : 16.10.2019

Amrik Singh @ Mikka @ Bikka @ Baba

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. S.K. Choudhary, Advocate
for the petitioner.Ms. Sakshi Bakshi, Asstt.A.G., Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

The petitioner-Amrik Singh @ Mikka @ Bikka @ Baba, who has been summoned with the aid of Section 319 Cr.P.C. in a case bearing FIR No.18 dated 06.02.2018 under Sections 376/363/366 of the Indian Penal Code and Section 4 of the POCSO Act, 2012 registered at Police Station Sujanpur, District Pathankot has come up in this anticipatory bail application under Section 438 Cr.P.C.

It was on the statement of Mangal Dass, father of a girl, aged around 17 years, the present case was got registered when the

latter went missing and entered into a wedlock with the principal accused-Sunny.

The contentions of learned counsel for the petitioner that the petitioner was neither named in the FIR nor in the statement under Section 164 Cr.P.C. made by the prosecutrix immediate upon her recovery and that the prosecutrix as well as the principal accused-Sunny have entered into a wedlock and has placed reliance on Annexures P-2 and P-3. The factual scenario as has been canvassed at the bar, by learned counsel for the petitioner, has not been displaced by the learned State counsel, on instructions from ASI Balkar Singh, Police Station Sujanpur, District Pathankot, concedes to the same.

Since, the petitioner was not named initially and subsequently, summoned under Section 319 Cr.P.C., appearance of the petitioner before the learned Trial Court would suffice the purpose.

The petitioner shall put in appearance before the learned Trial Court within a period of 15 days and on his doing so, he shall be released on interim bail to the satisfaction of the learned Trial Court. He shall also abide by the conditions specified under section 438 (2) Cr.P.C.

16.10.2019

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**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No