

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

CRM-M-61625-2018

Date of Decision: 09.09.2019

Ashok Kumar

.....Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARI PAL VERMA

Present : Mr.Davinder Singh Khurana, Advocate for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

Mr.Shobhit Phutela, Advocate
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.09 dated 16.01.2018, under Section 354-A IPC and Section 8 of POCSO Act, 2012, registered at Police Station Jalalabad, Police District Fazilka.

At the very outset learned counsel for respondent No.2 submits that address of respondent No.2 is not known to him and, therefore, a draft of a sum of Rs.10,000/- could not be handed over to her.

At this stage learned counsel for the petitioner undertakes to hand over the said draft to respondent No.2 within 15 days from today. He further states that pursuant to order dated 06.03.2019 passed by this Court, the petitioner has joined investigation.

Learned State counsel, on instructions from ASI Sukhdev Ram, does not dispute the aforesaid fact and submits that the custodial interrogation of the petitioner is no more required.

I have heard learned counsel for the parties.

Considering the fact that the petitioner has joined investigation and his custody is no more required, the present petition is allowed and the interim order dated 06.03.2019 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

It is made clear that in case the petitioner fails to deliver the aforesaid draft to respondent No.2 within two weeks, the order passed by this Court shall deem to have been vacated.

09.09.2019

Sunita

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No