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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 26368 of 2020 (O&M)
Decided on: 17.12.2020

Lakhwinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.174 dated 17.12.2019, registered under Sections 363, 366-A 120-B of the Indian Penal Code and Sections 3 and 4 of the POCSO Act at Police Station Sadar Batala, District Batala.

The operative part of the order dated 07.09.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner herein would contend that the petitioner and daughter of the complainant, Harmandeep Kaur have solemnized marriage, after she attained the age of majority and they are happily residing together. They had also approached this court by way of filing CRWP No.4249 of 2020, which was disposed of on 01.07.2020 and they were directed to appear before the Senior Superintendent of Police, Batala Police District, Batala. It is contended that the petitioner is ready to join

CASE HEARD THROUGH VIDEO CONFERENCING

the investigation.

Notice of motion for 17.12.2020.

At this stage, through the medium of video conferencing, Ms. Bhawna Gupta, DAG Punjab, accepts notice on behalf of the respondent State and submits that the petitioner, despite the order dated 01.07.2020 passed in aforesaid CRWP, did not put in an appearance before the police and has been evading arrest. She also informs this court that Section 3 and 4 of the POCSO Act have since been deleted...”

Counsel for the petitioner has submitted that, in pursuance to the order dated 07.09.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from SI Balwinder Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 07.09.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

17.12.2020
yakub

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No