

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

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**CRM-M-16241-2020 (O & M)
Date of Decision: 18.08.2021**

PRITAM BATRA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. G.S. Jagpal, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

This is the second petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.23 dated 12.03.2020, registered under Sections 3/4/5 of Immoral Traffic (Prevention) Act, 1956, at Police Station City Nakodar, District Jalandhar Rural.

On 11.01.2021, this Court passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 pandemic.

This is the second petition for grant of anticipatory bail.

First petition was dismissed after arguments on 09.06.2020.

Counsel for the petitioner has contended that a false FIR has been registered as some police officials were demanding money from the petitioner and when the petitioner refused to oblige them, the instant FIR was registered. He submits that a perusal of the FIR shows that offence as alleged is not made out. It is his arguments that the petitioner is 65 years old and is suffering from various serious ailments. He has referred to the medical record, Annexure P-8, and taken the Court through the medical report dated 26.07.2020 and

prescription dated 09.07.2020 and submitted that the petitioner is suffering from Type 2 diabetes mellitus (T2 DM) and is highly susceptible to the widespread coronavirus. He has placed reliance upon the order dated 12.06.2020, Annexure P-8 passed by this Court in CRM-M-14953-2020, whereby similarly placed accused was granted interim bail by this Court which order was subsequently made absolute on 13.08.2020.

Learned State counsel has verified the medical status report of the petitioner and filed the status report dated 08.01.2021 by way of affidavit of Deputy Superintendent of Police, Sub Division Nakodar, Jalandhar, wherein it has been deposed that the medical reports and prescriptions have been found to be genuine and issued by the respective doctors. Copy of status report is taken on record.

List on 29.04.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

Learned State counsel on instructions from ASI Labh Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 11.01.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

18.08.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No