

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****204****CRM-2494-2021 in/and
CRM-M-33162-2020****Date of Decision: 15.02.2021**

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ankur Bansal, Advocate, for the applicant/petitioner.

Mr. Balbir Singh Sewak, Addl. AG, Punjab,
assisted by SI Gurdip Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)****CRM-2494-2021**

In view of the reasons mentioned in the application, the same is allowed.

Reader is directed to incorporate the necessary corrections regarding addition of Section 414 IPC in the headnote as well as in the prayer of the application.

CRM-M-33162-2020

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.287 dated 28.08.2020 at Police Station Phillaur, District Jalandhar under Sections 506, 511, 34 IPC (Sections 354-D, 380, 383 IPC added later on) and Sections 11 & 16 of the POCSO Act.

2. At the time of issuance of notice of motion, the following order was passed on 16.10.2020:

“Learned counsel for the petitioner contends that initially the FIR in question was registered for the offences under Sections 506, 511, 34 IPC and Sections 11 and 16 of POCSO Act. Petitioner was granted anticipatory bail by the Additional Sessions Judge, Jalandhar vide order dated 21.9.2020. Video clip issued by the prosecutrix containing her statement has been made available to the police and the same was also placed before the Court. According to the aforesaid video clip, the petitioner had not committed any wrong with the prosecutrix. She has not supported the case against the petitioner. Subsequently, offences in terms of Sections 354-D, 380 and 383 IPC were added and the Court of Sessions dismissed the anticipatory bail by observing “It appears that the present applicant-accused Gurpreet Singh may in connivance with said Manna Brar, who is not the accused in the FIR succeeded in minting money as well as gold articles from the minor victim by putting her under fear of injury to her reputation etc.”

Notice of motion for 2.12.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 20.10.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.

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4. In view of the aforestated position, the petition is accepted and the interim directions issued by this Court vide order dated 16.10.2020 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.
5. It is clarified that the aforesaid order shall enure offence under Section 414 IPC as well.

15.02.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**