

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

**CRM-M-6872-2022
Date of Decision: 07.09.2022**

MOHAMMAD ALI ALIAS MUHAMAD ALI ... PETITIONER

V/S

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. K.S.Saini, Advocate for
Mr. Amandeep Saini, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

On 18.02.2022 following order was passed:

“Petitioner is seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 89 dated 01.09.2020, under Sections 346 IPC, 1860 (363/366/376/120-B IPC, 1860 and 6/17 of POCSO Act, 2012 added later on), registered at Police Station Balachaur, District SBS Nagar.

Learned counsel for the petitioner contends that the petitioner was found innocent during the course of investigation and his name was reflected in column No.2 of the report under Section 173 Cr. P.C. The allegations of the commission of rape have not been attributed to the petitioner and he has been summoned on the application under Section 319 Cr. P.C.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 16.05.2022.

Meanwhile, the petitioner is directed to surrender before

the learned trial Court on or before 02.03.2022 and on his doing so, he shall be admitted on interim bail to the satisfaction of the trial Court.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner surrendered in the trial Court on 02.03.2022 and has been admitted on interim bail.

Learned State counsel has not disputed the aforesaid factual aspect.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 18.02.2022 is made absolute. However, it is made clear the petitioner shall furnish fresh bail bonds in the trial Court within a period of one month.

The order is further subject to the condition that the petitioner shall comply with other conditions as specified under Section 438(2) Cr.P.C.

07.09.2022

Janki

**(VIVEK PURI)
JUDGE**

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