

**102+201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-7671-2021 (O&M)

Date of Decision: 17.3.2022

Harish Chaudhary

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Mohit Kakkar, Advocate, for the petitioner.

Ms.Bhavna Gupta, Deputy Advocate General, Punjab.

Mr. M.K. Singla, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

CRM-10144-2022

Annexures P-9 to P-12 are taken on record.

Application stands allowed.

CRM-20425-2021

This is an application for impleading the complainant, namely, Jyoti as respondent No.2.

For the reasons mentioned in the application, the same is allowed.

The complainant is ordered to be impleaded as respondent No.2.

The amended memo of parties annexed with the application is taken on record.

Main case

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.77 dated 1.7.2020

registered under Sections 376, 506 IPC and Sections 3 and 4 POCSO, 2012 at Police Station Jaito, District Faridkot.

By virtue of the order dated 18.2.2021, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and fully cooperated and thus, the interim order may kindly be made absolute.

However, learned counsel for the complainant submits that PO proceedings were pending against the petitioner at the time of granting interim bail and as such the present application may be dismissed.

Learned State counsel has submitted that in pursuance to the order dated 18.2.2021, the petitioner has joined the investigation and supplementary challan is also presented. She further submits that now the investigation is complete and case is fixed for framing of charges.

In view of the attending circumstances, the Court finds it appropriate that when the trial court is seized of the matter, the interim order dated 18.2.2021 is liable to be made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Ordered accordingly. The petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

17.3.2022
sharmila

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