

JAGDEEP SINGH @ JOLLY

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Bipan Ghail, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Munish Raj Chaudhary, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.263 dated 10.10.2019 registered under Sections 365/376(d)/376(2)(n)/384 IPC, 1860 and Section 6 of Protection of Children from Sexual Offences Act, at Police Station Lehra, District Sangrur.

On 28.03.2022, the following order was passed:-

“At the first instance, the FIR was registered against the petitioner and the co-accused, namely, Gurpreet Singh @ Goldy and Jagdeep Singh son of Nazar Singh.

Learned Senior Counsel for the petitioner contends that the allegations with regard to the commission of rape have not been attributed to the petitioner, he was found innocent during the course of investigation and has been summoned on the application of prosecution under Section 319 Cr.P.C.

The next date of hearing before the trial Court is stated to be 06.04.2022.

Notice of motion.

Mr. A.A.Pathak, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and seeks time to get instructions in the matter.

Mr. Munish Raj Chaudhary, Advocate also accepts

notice on behalf of the complainant.

Adjourned to 23.05.2022.

In the meanwhile, it is directed that the petitioner shall surrender before the trial Court on or before 05.04.2022 and on his doing so, he shall be admitted on interim bail to the satisfaction of the trial Court.

The petitioner shall also comply with the provisions of Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has surrendered before the trial Court on 01.04.2022 and has been admitted on interim bail.

On instructions from ASI Kala Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has surrendered before the trial Court.

In view of the aforesaid submissions, the order dated 28.03.2022, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petitioner shall furnish fresh bail bonds to the satisfaction of the trial Court/Duty Magistrate within a period of one month.

The petition is allowed.

23.05.2022

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No