

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209-1)

CRM-M-13649-2022
Date of decision:- 20.07.2022

Mamta @ Mamta Devi

...Petitioner

Versus

State of Punjab

...Respondent

(209-2)

CRM-M-13650-2022
Date of decision:- 20.07.2022

Nanda @ Nand Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Arun Takhi, Advocate for the petitioner(s) in both cases.

Mr. Dhruv Dayal, Senior DAG, Punjab
for State-respondent (in both cases).

SUVIR SEHGAL, J. (Oral)

This order will dispose of two cases bearing Nos. **CRM-M-13649-2022 titled as “Mamta alias Mamta Devi Versus State of Punjab”** and **CRM-M-13650-2022 titled as “Nanda @ Nand Kumar Versus State of Punjab”** as the petitioners in both the cases have been summoned as additional accused in FIR No.49 dated 24.07.2020, registered for offence under Section 376 of the Indian Penal Code, 1860 and Section 6 of Protection of Children from Sexual Offences Act, 2012, at Police Station Hajipur, District Hoshiarpur, Annexure P-1, and have approached this Court through separate petitions filed under Section 438 of the Code of Criminal Procedure, 1973, seeking grant of anticipatory bail.

On 04.04.2022, this Court passed the following order:-

“Instant petition has been filed by the petitioner under Section 438 of Cr.P.C. seeking anticipatory bail in case FIR No.49 dated 24.07.2020, registered under Sections 376 of IPC and Section 6 of The Protection of Children from Sexual Offences Act, 2012 at Police Station Hajipur, District Hoshiarpur.

Counsel for the petitioner contends that Mamta is the sister of the main accused, Sanjeev and Nanda is her cousin. He submits that both of them have been summoned as additional accused on an application filed under Section 319 Cr.P.C. and they are ready to surrender before the trial Court and join proceedings.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

Let the petitioner(s) surrender before the trial Court within a period of one week from today and join proceedings.

In case, the petitioner(s) do so, they will be released on interim bail by the trial Court on furnishing the bail/surety/personal bonds to its satisfaction.

List on 20.07.2022.

Photocopy of this order be placed on the file of other connected case.”

Counsel for the petitioner(s) has placed on record a copy of interim order dated 11.04.2022 to submit that the petitioner(s) have surrendered before the Trial Court, joined the proceedings and have been ordered to be released on interim bail.

In view of the above, but without commenting on the merits of the case, present petition is allowed.

Order dated 04.04.2022 granting interim bail to the petitioner(s), is made absolute.

(SUVIR SEHGAL)
JUDGE

20.07.2022

Kamal

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