

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-27478 of 2022
Date of decision:13.09.2022

Bunty (Bunty Bhatia)

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. A.K.Walia, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

On 05.07.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.61 dated 28.09.2016, registered for offences under Sections 363 and 366-A of the Indian Penal Code, 1860, at Police Station Sangrur, District Patiala (Annexure P-1) and for offences under Section 17 read with Section 4 of Protection of Children from Sexual Offences Act, 2012 and Sections 363, 366-A and 376 read with Section 109 of Indian Penal Code, 1861 for which the petitioner has been summoned to face trial as an additional accused under Section 319 of the Code of

Criminal Procedure, 1873 (sic 1973) vide order dated 08.02.2017 (Annexure P-6) passed by the learned Trial Court.

Counsel for the petitioner submits that petitioner was not named as an accused in the FIR and he has been summoned by the Trial Court vide order dated 08.02.2017 (Annexure P-6) passed under Section 319 Cr.P.C. Counsel submits that petitioner challenged the said order by way of CRR-1143-2017. Vide order dated 29.03.2017 (Annexure P-7), this Court issued notice in the revision petition and directed that operation of said order shall remain stayed qua the petitioner. Counsel submits that the revision petition has been dismissed vide judgment dated 19.04.2022 (Annexure P-8) and the petitioner is ready to surrender before the Trial Court and join the proceedings. He submits that the petitioner is not required for custodial interrogation and the trial qua the co-accused has resulted in conviction.

Notice of motion.

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

In case, the petitioner surrenders before the Trial Court and joins the proceedings within a period of two weeks from today, he shall be released on ad interim bail subject to his furnishing bail/surety bond to the satisfaction of the Court

concerned.

List on 13.09.2022.”

Counsel for the petitioner has placed on record a *xerox* copy of order dated 25.08.2022 passed by the Trial Court to submit that petitioner has surrendered before the Trial Court and has been released on ad-interim bail.

In view of the above facts, but without commenting on the merits of the case, present petition is disposed of and order dated 05.07.2022 granting interim bail to the petitioner is made absolute.

September 13, 2022
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>