

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

CRM-M-33359-2022

Date of Decision: 06.12.2022

**MANNI ALIAS MAAN SINGH
VS.**

... PETITIONER

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Rajinder Singh Bhatta, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 09.08.2022, the following order was passed:-

“The petitioner is seeking anticipatory bail in the case FIR No. 54 dated 26.08.2021 registered under Sections 341, 365, 323 and 34 of the Indian Penal Code (offences under Section 354 IPC read with Section 12 of POCSO Act, 2012, were added later on vide GD No. 35 dated 29.08.2021) at Police Station Amir Khas, District Fazilka.

Learned counsel for the petitioner contends that a false and fabricated case has been planted upon the petitioner, on account of the previous enmity between the parties. It has been further stated that the complainant had come up with three versions, which are at variance with each other. Injury under Section 323 IPC has been attributed to the petitioner. The allegations with regard to commission of offence under Section 354 IPC and Section 12 of the Protection of Children from the Sexual Offences Act, have not been attributed to the petitioner. There are 7 accused in the instant case, out of which 5 have been granted bail and one has been granted interim bail.

Notice of motion.

Ms. Ruchika Sabherwal, AAG Punjab, who is present in the Court accepts notice on behalf of State of Punjab and requested for adjournment to seek instructions.

Adjourned to 12.10.2022.

Meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the

Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Swaran Singh, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 09.08.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

06.12.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No