

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(213)

CRM-M-36077-2022
Date of Decision: 20.09.2022

Malkeet Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Brijesh, Advocate for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

Mr. V.S. Anand, Advocate for respondent no.2.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.50 dated 12.4.2022 registered under Sections 363, 366-A and 120-B IPC at Police Station, Ferozepur Cantt.

By virtue of the order dated 17.8.2022 while granting interim protection, the petitioner was directed to appear before the investigating agency.

Learned counsel for the petitioner submits that in pursuance to the order dated 31.8.2022 the petitioner and prosecutrix had appeared before the investigating agency and thus the interim order may kindly be made absolute.

Learned State counsel on instructions from ASI Raman Kumar has endorsed the same and submitted that on her appearance prosecutrix was produced before the concerned Magistrate and her statement under section 164 Cr.P.C was recorded, wherein she deposed that she wanted to

join the company of petitioner. State counsel further submits that as per the statement made by the complainant i.e. father of the prosecutrix, she is a minor whereas as per statement made by the concerned M.C., Ferozepur Cantt. the date of birth of the prosecutrix has been stated to be 20.5.2002. State counsel further submits that the matter is under investigation and challan is yet to be presented. He has submitted that in pursuance to the orders passed by this court, the petitioner has joined investigation.

Learned counsel for respondent no.2 submits that prosecutrix is a minor.

In view of the above, the order dated 17.8.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

20.09.2022

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