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

CRM-M-36889-2022

Date of decision : 24.11.2022

Anita

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. Iqbal S. Mann, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.89 dated 18.07.2020 registered under Sections 363/364/366-A/376 of the Indian Penal Code, 1860 read with Section 4 of POCSO Act, at Police Station Fattu Dyinga, Tehsil and District Kapurthala.

On 22.08.2022, a Coordinate Bench of this Court was pleased to pass 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.89 dated 18.07.2020, registered for offences under Sections 363, 364, 366-A, 376 of the Indian Penal Code, 1860 read with Section 4 of Protection of Children from Sexual Offences Act, 2012, at Police Station Fattu Dyinga, Tehsil and District Kapurthala (Annexure P-1).

Counsel for the petitioner submits that the petitioner, who is 43 year old lady, was declared as innocent during investigation and has been summoned as an additional accused, vide order dated 06.06.2022, Annexure P-4 passed in an application filed by the prosecution under Section 319, Cr.P.C. He submits that the petitioner is ready to join the

proceedings.

Notice of motion.

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

List on 24.11.2022.

In case, the petitioner surrenders before the Trial Court within a fortnight from today, joins the proceedings and moves an appropriate application, she will be released on ad interim bail subject to furnishing bail/ surety bonds to the satisfaction of the Trial Court concerned.

Sd/-(SUVIR SEHGAL)

JUDGE

22.08.2022”

Learned counsel for the State, on instructions from ASI Dhian Singh, has submitted that the petitioner had appeared before the trial Court on 31.08.2022 and had complied with order dated 22.08.2022.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and the interim order dated 22.08.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

24.11.2022

Pawan

(VIKAS BAHL)

JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No