

256-A

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

CRM-M-38202-2022

Date of decision : 24.11.2022

Labh Singh @ Labha

...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 DHINGA, Tehsil and District Kapurthala.

On 26.08.2022, 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 and 376 of the Indian Penal Code, 1860 and Section 4 of Protection of Children from Sexual Offences Act, 2012, at Police Station Fattu DHINGA, Tehsil and District Kapurthala, Annexure P-1.

Counsel for the petitioner submits that the petitioner has been summoned as an additional accused by the Trial Court, vide order dated 06.06.2022, Annexure P-4. He submits that the petitioner is ready to surrender and join the proceedings.

Notice of motion.

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

Let the petitioner surrender before the Trial Court within a fortnight from today and join the proceedings. In case, he files an appropriate application, he shall be released on ad interim bail on furnishing bail/surety bonds to the satisfaction of the Trial Court concerned.

List on 24.11.2022.

To be heard with CRM-M-36889-2022.

Sd/- (SUVIR SEHGAL)

JUDGE

26.08.2022”

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 26.08.2022.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and the interim order dated 26.08.2022 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