

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

201

CRM-M-10458-2023 (O&M)**Date of decision: 02.12.2023****Bhago and others****...Petitioners****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Ritesh Pandey, Advocate
for petitioner Nos. 2 and 3.

Ms. Himani Arora, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in Complaint No. 171 of 2019, instituted on 04.06.2019, under Sections 363, 366-A, 376, 120-B of the IPC and Section 6 of the POCSO Act, 2012, vide which, the petitioners have been summoned, vide order dated 23.12.2022, passed by the Additional Sessions Judge, Fast Track Special Court, Hoshiarpur. The present petition stands dismissed as withdrawn qua petitioner No. 1, vide order dated 01.05.2023.

2. Learned counsel for the petitioners has placed on record a copy of order dated 11.05.2023, passed by the trial Court, showing that petitioner Nos. 2 and 3 have surrendered before the said Court in compliance of the order passed by this Court and had been admitted to interim bail on furnishing bonds to its satisfaction.

3. The petitioners have been summoned in a private complaint case. Neither their custodial interrogation is required nor any recovery is to be

effected from them. The allegations qua commission of offence of rape do not pertain to them. As such, this Court sees no reason as to why the benefit of interim anticipatory bail, as extended to them, should not be made absolute.

4. Accordingly, without commenting on the merits of the case, the present petition is allowed and the order dated 01.05.2023, granting interim bail to petitioner Nos. 2 and 3, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

02.12.2023
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No