

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-14186-2022 (O&M)

Date of Decision : 05.07.2023

Tejinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Nitin Jain, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG Punjab.

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**ALKA SARIN, J. (Oral)**

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.14 dated 02.03.2013 registered under Sections 363, 366-A, 376, 120-B of the Indian Penal Code, 1860 and later on added Sections 3, 4, 5, 6 of Immoral Traffic (Prevention) Act, 1956; Section 04 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Phase-11, Mohali, District SAS Nagar, Punjab.

2. On 16.12.2022 the following order was passed :

*“Counsel for the petitioner contends that petitioner is not named in the FIR and in her statement under Section 164 Cr.P.C, prosecutrix has accused Sunny of sexually assaulting her. Counsel urges that Sunny’s role is being ascribed to the petition, though he is not known*

*by his name. While referring to the testimony of the prosecutrix recorded in the trial being conducted against co-accused, Kuldeep Singh, counsel submits that prosecutrix has stated that her statement under Section 164 CrPC, was involuntary and that she does not recognize the main accused, Kuldeep Singh and Jasvir Kaur.*

*List on 28.02.2023.*

*Petitioner is directed to join the investigation on 20.12.2022 at 10.00 a.m, at Police Station Phase-II, Mohali, District SAS Nagar (Punjab) and in the event of arrest, he shall be admitted to interim bail on his furnishing personal a2nd surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

3. Learned counsel for the petitioner would contend that the petitioner has since joined investigation and has fully cooperated.
4. Learned counsel for the State, on instructions from ASI Jaspal Singh, states that the petitioner has since joined investigation and is fully co-operating and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 16.12.2022 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

05.07.2023  
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**(ALKA SARIN)**  
**JUDGE**

NOTE : Whether speaking/non-speaking : Speaking  
Whether reportable : YES/NO