

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(202)

CRM-M-19732-2022(O&M)

Date of Decision: 13.01.2023

Virender Dutt & another

--Petitioners

Versus

State of U.T., Chandigarh & another

--Respondents

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

Present:- Mr. Keshav Pratap Singh, Advocate for the petitioners.

Mr. Abhinav Gupta, Addl. P.P., U.T., Chandigarh.

Ms. Roopam Jain, Advocate for respondent no.2.

RAJESH BHARDWAJ.J (Oral)

CRM-23094-2022

This is an application praying for impleading the complainant as respondent no.2 in the main petition.

In view of the averments made in the application, same is allowed. Chander Prakash complainant on behalf of his minor children is impleaded as respondent no.2 in the main petition. The accompanying amended Memo of Parties is taken on record.

CRM-23100-2022

This is an application praying for modification and clarification of order dated 30.5.2022 passed by this court and for recalling the interim relief given to the petitioners.

No ground for modification or clarification of order dated 30.5.2022 passed by this court, is made out. Accordingly, application is dismissed.

CRM-25523-2022

This is an application for placing on record amended Memo of

Parties.

Learned counsel for the parties plead no objection if the same is taken on record. Accordingly, the present application is allowed. Amended Memo of Parties is taken on record.

Main Petition

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioners in FIR No.29 dated 11.4.2022 registered under Sections 377, 511, 34 IPC and Sections 8 and 12 of POCSO Act at Police Station, Sector 49, U.T., Chandigarh.

By virtue of the order dated 30.5.2022 while granting interim protection, the petitioners were directed to join investigation.

Learned counsel for the petitioners submits that in pursuance to the order dated 30.5.2022 petitioners have joined investigation and fully cooperated and thus, the interim order may kindly be made absolute.

Learned counsel for the complainant has opposed the submissions made by counsel for petitioners.

Learned State counsel on has endorsed the fact that petitioners have joined investigation and submitted that they are no more required for further investigation.

In view of the above, the order dated 30.5.2022 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

13.01.2023

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