

CRM-M-30729-2023
Date of decision: 01.12.2023

...PETITIONER

STATE OF PUNJAB

...RESPONDENT

Present: Mr. Ramandeep, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI,J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No.205 dated 22.11.2022, under Sections 354-D/323/506/427 IPC, 1860 (offence under Section 12 of POCSO Act, 2012 and Section 201 IPC added later on), registered at Police Station Pasyana, District Patiala.
2. Status report by way of affidavit of Neha Aggarwal, PPS, Deputy Superintendent of Police, Sub Division Samana, District Patiala on behalf of the respondent-State has been filed and the same is taken on record.
3. On 16.06.2023, the following order was passed by the Co-ordinate Bench of this Court:-

“Learned counsel appearing on behalf of the petitioner, inter alia, contends that the FIR in question was initially registered under Sections 354-D, 506, 323 and 427 of the Indian Penal Code, in which the petitioner was granted bail, however, later on Section 12 of the Protection of Children from Sexual Offences Act, 2012 and 201 of the Indian Penal Code, has been added and thus the same has occasioned the petitioner to seek concession of pre-arrest bail.

Notice of motion returnable for 25.09.2023.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/

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investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

- 4. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.
- 5. On instructions from ASI Lakhwinder Singh, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioner has joined the investigation and his custodial interrogation is not required.
- 6. In view of the aforesaid submissions, the order dated 16.06.2023, granting interim bail to the petitioner is made absolute.
- 7. The petition is allowed.

01.12.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No