

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216

CRM-M-36076-2023 (O&M)

Date of Decision : 20.12.2023

Telu Ram

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Tarranum, Advocate and
Mr. Davinder Bir Singh, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

Mr. G.S. Madaan, Advocate for the complainant.

ALKA SARIN, J. (Oral)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.22 dated 27.01.2023 under Sections 354, 452, 323, 506, 149 of the Indian Penal Code, 1860 (IPC), Section 8 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Sections 201, 363, 376 IPC and Sections 6 and 17 of the POCSO Act (added later on) (Section 8 of POCSO Act deleted later on) registered at Police Station Dugri, District Police Commissionerate, Ludhiana.

2. On 27.07.2023 the following order was passed :

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.22 dated 27.01.2023 under

Sections 354, 452, 323, 506, 149 of the Indian Penal Code, 1860 (IPC), Section 8 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Sections 201, 363, 376 IPC and Sections 6 and 17 of the POCSO Act (added later on) (Section 8 of POCSO Act deleted later on) registered at Police Station Dugri, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner would contend that the main accused has already been arrested and challan presented. It is further contended that the only allegation against the petitioner is that on 25.01.2023 he entered the house of the complainant forcibly and was part of a group of 5-6 persons who beat up the father of the complainant who is 77 years old.

The learned counsel would further contend that the petitioner has falsely been implicated in the case.

Notice of motion.

Mr. Adhiraj Singh, AAG Punjab accepts notice on behalf of respondent-State of Punjab while Mr. G.S. Madaan, Advocate has accepted notice on behalf of the complainant.

List on 07.11.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of

arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner would contend that pursuant to the said order the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from SI Jaswinder Singh, has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 27.07.2023 is made absolute. The petitioner shall, however, join investigation as and when called. 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.

20.12.2023
Deepak patwal

(ALKA SARIN)
JUDGE

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