

**202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-39735-2022
Date of decision: 05.12.2023**

JASPAL SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Ramandeep Kaur, Advocate for
Mr. Rajesh Kapila, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Rajat Dogra, Advocate for
Mr. Rhythem Bajaj, Advocate for the complainant.

VIVEK PURI, J. (ORAL)

1. On 02.09.2022, the following order was passed by the Co-ordinate
Bench of this Court:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.98 dated 05.05.2022, registered for offences under Section 376 of the Indian Penal Code, 1860 and Section 3 of Protection of Children from Sexual Offences Act, 2012, at Police Station Sadar Ferozepur, District Ferozepur, Annexure P-1.

Counsel for the petitioner contends that although allegations have been levelled in the FIR, Annexure P-1, lodged by the mother of the prosecutrix, that the petitioner has committed sexual assault on the minor, but, in her statement, recorded under Section 164, Cr.P.C., the prosecutrix has categorically stated that the petitioner has not committed any objectionable act with her. She has specifically named Surjit Singh, Sarpanch, who has sexually exploited her.

Notice of motion.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab accepts notice on behalf of the respondent-State.

List on 17.01.2023.

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Petitioner is directed to appear before the Investigating Officer at Police Station Sadar Ferozepur, District Ferozepur on 12.09.2022 at 10.00 A.M. and join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and 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.”

2. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.
3. On instructions from Kulwinder Singh, learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required. It has been further submitted that on completion of the investigation, the challan has also been presented in the Court.
4. In view of the aforesaid submissions, the order dated 02.09.2022, granting interim bail to the petitioner is made absolute.
5. The petition is allowed.

05.12.2023

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(VIVEK PURI)
JUDGE

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