

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

265

CRM-M-47025-2022

Date of Decision: 20.01.2023

Ram Suraj Alias Suraj

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Chahit Bansal, Advocate for  
Mr. Pradhuman Garg, Advocate for the petitioner  
Mr. Digvijay Nagpal, AAG, Punjab  
Mr. S.K. Kanojia, Advocate for  
Mr. Vishesh Dogra, Advocate for the complainant  
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**JAGMOHAN BANSAL, J. (Oral)**

On 14.10.2022, the following order was passed:-

“ *Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.122 dated 24.07.2022, registered for offences under Sections 363, 366-A, 376, 120-B of the Indian Penal Code, 1860, Section 4 of the Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”), however, Sections 6 and 17 of the POCSO Act, were added, later on, at Police Station Division 6, District Police Commissionerate, Jalandhar, Annexure P-1.*

*Notice of motion.*

*On asking of the Court, Mr. Mohit Choudhary, AAG, Punjab accepts notice on behalf of the respondent-State. He is assisted by Mr. Vishesh Dogra, Advocate for the complainant, who has filed Power of Attorney, which is taken on record.*

*List on 19.01.2023.*

*State is directed to file a status report after verifying the documents appended with the petition, in particular, Aadhar Card, Annexure P-2, which shows that year of birth of the prosecutrix as 2003.*

*In the meanwhile, no coercive action shall be taken against the petitioner till the next date.”*

Learned State counsel submits that police after completing investigation filed its report under Section 173 Cr.P.C. and the Trial Court framed charges against the petitioner as well as his parents. The complainant and other two material witnesses have turned hostile.

Learned counsel for the complainant submits that matter stands amicable settled between the parties and he has no objection if interim protection bail granted to the petitioner is made absolute.

In view of the fact that complainant and other material witnesses have turned hostile and complainant has no objection if interim protection granted to the petitioner is made absolute, the present petition deserved to be allowed and interim protection bail granted to the petitioner vide order dated 14.10.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)  
JUDGE

20.01.2023  
Mohit Kumar

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |