

PBGD010046512022



Presented on : 02-07-2022

Registered on : 04-07-2022

Decided on : 14.07.2022

**IN THE COURT OF Additional Sessions Judge, Gurdaspur
(Presided Over by S. Ajit Pal Singh UID no. PB0226).
BA-2102-2022**

FIR no. 0019 dated 18.03.2022

Under Section: 354/354-A/354-B IPC & Section 8 of POCSO Act,
2012

P.S. Ghanie Ke Banger

Present: Shri R.S. Boparai Advocate, counsel for accused-applicant.
Shri Hardeep Kumar, Additional P.P. for State.

ORDER

1. ASI Hardeep Singh, no. 1785/Btl. P.S. Ghanie Ke Banger appeared and made a statement that the accused/applicant Vijay Kumar has joined investigation in compliance of order dated 07.07.2022 on 13.07.2022 and he is no more required for the purpose of further investigation or custodial interrogation.
2. Arguments on bail application under Section 438 of Cr.PC for pre-arrest under Section 354/354-A/354-B IPC & Section 8 of POCSO Act, 2012 heard and record perused.
3. From the perusal of record, it transpires that the accused/applicant was granted bail for the offence punishable under Section 354/354-A/354-B IPC by this Court. Thereafter, an application for bail under Section 438 Cr.PC had been moved before this court, wherein it was averred that offence under Section 8 of POCSO has been enhanced, which was allowed vide order dated 07.07.2022 and

accused/applicant was directed to join investigation after enhancement of offence under Section 8 of POCSO Act. As it is evident from the statement of ASI Hardeep Singh aforementioned, the present accused/applicant had duly joined investigation after enhancement of offence under Section 8 of POCSO Act and as such had complied with the order dated 07.07.2022. Hence, keeping in view that accused/applicant had already joined investigation and complied with the order aforementioned, the bail order dated 07.07.2022 is made absolute subject to the conditions as envisaged under section 438(2) Clauses (i), (ii) and (iii) of Cr.P.C enumerated as under:-

I) That accused/applicant shall make himself available for interrogation by a police officer as and when required;

II) That accused/applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer;

III) That accused/applicant shall not leave India without the previous permission of the learned trial court;

However, nothing as expressed in the said order shall have any bearing on the merits of the main case. Police record be returned and papers of bail application be consigned to Record Room.

Date of Order : 14.07.2022

Dilbag Singh, Stenographer-II

(Ajit Pal Singh)

Additional Sessions Judge
Gurdaspur/ UID No. PB0226