

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

CRM-M-19012 of 2015

Date of Decision: 20.8.2015

Ashok Tanwar

--Petitioner.

Vs.

State of Haryana

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. M.K.Sangwan, DAG, Haryana.

Mr. Ravi Kant, Advocate
for the complainant.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No. 300 dated 21.4.2015 under Section 10 of the Protection of Children from Sexual Offences Act, 2012 at Police Station, Civil Lines, Hisar.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He further submits that there was no occasion for the petitioner to indulge in such kind of activity, as alleged against him. He prays for allowing the present petition.

On the other hand, learned counsel for the State as well as learned counsel for the complainant submit that owing to the conduct of the petitioner, he is not entitled for the concession of the

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anticipatory bail. They refer to the statement suffered by the victim-child before the learned Magistrate under Section 164 Cr.P.C., to prove the involvement of the petitioner. They pray for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length and after careful perusal of the record of the case, particularly the statement of the child under Section 164 Cr.P.C., this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of anticipatory bail. It is so said, because allegations against the petitioner are not only direct and specific but the same are serious in nature, as well. Petitioner is the only accused. In this view of the matter, custodial interrogation of the petitioner would be a compulsive necessity of the investigating agency, so as to carry out an effective investigation.

In view of the above and without expressing any further on the merits of the case, lest it should prejudice the rights of either of the parties, no case for anticipatory bail has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

20.8.2015
AK Sharma