

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

**CRM-M-9633-2017 (O&M)
Date of Decision: 22.09.2017**

Rahul Balhara

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B. S. Saroha, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Ajay Bhardwaj, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

CRM-16596-2017

This is an application for placing on record the amended petition since Sections 328, 365 & 506 of the IPC and Section 6 of the POCSO Act were added later on i.e. after the grant of interim protection to the petitioner by this Court on 22.03.2017.

For the reasons mentioned in the application, the same is allowed. Amended petition is taken on record.

CRM-M-9633-2017

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 17 dated 17.02.2017, under Section 12 of the POCSO Act and Section 3 of the SC/ST Act (Sections 328, 365 & 506 of the IPC and

Section 6 of the POCSO Act were added later on), registered at Women Police Station, District Rohtak.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case and on the direction of this Court, has joined the investigation. In fact, he has been granted regular bail by an order dated 17.08.2017 passed by learned Additional Sessions Judge, Rohtak. A certified copy of the said order is also placed on record.

Ms. Gaganpreet Kaur, AAG, Haryana, on instructions from the Investigating Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 22.03.2017, granting interim bail to the petitioner, is made absolute subject to the conditions laid down in Section 438, Sub Section (2) Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

22.09.2017

Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*