

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

**CRM-M-46298-2017  
Date of decision: 11.07.2018**

Sahoon

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Saurabh Sharma, Advocate  
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Baljeet Beniwal, Advocate,  
for the complainant.

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**JAISHREE THAKUR, J. (ORAL)**

This is a petition that has been filed under Section 438 Cr.P.C.  
for grant of anticipatory bail to the petitioner in case FIR No. 88 dated  
07.08.2017 registered under Section 8 of POCSO Act read with Section  
506 IPC at Police Station Nuh, District Nuh.

This Court was pleased to pass the following order on  
06.12.2017 :-

*“Learned counsel for the petitioner inter alia  
contends that the FIR under Section 8 of the POCSO Act  
is not sustainable. It is argued that a reading of the FIR  
would reveal that there has been no sexual assault as  
defined under Section 7 of the said Act.*

*Notice of motion for 21.03.2018.*

*Meanwhile, in the event of arrest, the petitioner be*

*released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”*

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioner .

Since the petitioner has joined the investigation, the instant petition is allowed and interim order dated 06.12.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

**11.07.2018**

*Satyawan*

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.