

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

288

**CRM-M-28994-2018
DATE OF DECISION: 24.05.2019**

HASAN ALI @ SONU

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amitabh Tiwari, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.149/2018 dated 05.06.2018, under Sections 323, 377, 511 IPC and Section 18 of The Protection of Children from Sexual Offences (POCSO) Act, 2012 registered at Police Station Pinjore.

Learned counsel for the petitioner contends that the petitioner is 16 years of age and the allegations against him in the FIR are that he had attempted to commit unnatural act. He has also relied upon the judgments rendered by the Kerala High Court in **Mr. X (Prashob) Vs. State of Kerala, 2018(3) RCR (Criminal) 327** as well as by Chhattisgarh High Court in **Sudhir Sharma Vs. State of Chhattisgarh through Station House Officer, Police Station-Sakti, District Janjgir Champa, Chhattisgarh, 2017 (3) CG.L.J. 405** to contend that the instant petition for anticipatory bail would be maintainable.

A coordinate Bench of this Court, by the order dated 03.05.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim

bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from SI Brij Pal, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 03.05.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

24.05.2019

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No