

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

CRM-M-39326-2018

Date of decision: February 04, 2019

Jogender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Amanpreet Kaur Sabharwal, Advocate for
Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The petitioner has preferred the instant petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No.80 dated 15.04.2018, registered under Sections 346, 363, 366-A, 120-B, 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Bahin, District Palwal.

Learned State counsel has submitted that allegation of rape was not levelled against the petitioner but against co-accused Dharminder. The only allegation against the petitioner is that he assisted the co-accused by providing him motorcycle. He further submitted that petitioner has joined the investigation; nothing is to be recovered from him and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the interim order dated 10.09.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJ SHEKHAR ATTRI)
JUDGE

February 04, 2019
m. sharma

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