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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20557-2019
Date of decision-16.08.2019

Ramesh Kumar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Petitioner in person.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
SI Shiv Kumar.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.100 dated 17.03.2019 under Section 14 of Child Labour (Prohibition & Regulation Act, 1986) and Sections 75 and 79 of Juvenile Justice (Care & Protection of Children) Act, 2015 registered at Police Station City, Bahadurgarh, District Jhajjar. The petitioner apprehend his arrest at the hands of Police.

There is no representation on behalf of the petitioner.

On 06.05.2019, while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Petitioner is a dhaba owner, who has been indicted in a case FIR No.100 dated 17.3.2019, under Section 14 of Child Labour (Prohibition & Regulation) Act, 1986 and Sections 75, 79 of Juvenile Justice (Care & Protection of

Children) Act, 2015, registered at Police Station City Bahadurgarh, District Jhajjar, on the ground that one child, namely, Sumit Kumar, aged 17 years was working at said dhaba. According to learned counsel for the petitioner, the said boy was not an employee, rather, he had come to take the meals. It is further contended that in view of the allegations contained in the FIR, his custodial interrogation may not be necessary.

Notice of motion for 16.8.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel who is assisted by SI Shiv Kumar has apprised the Court that the petitioner has joined the investigation. Learned counsel on instructions from SI Shiv Kumar further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.05.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

16.08.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No