

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

205+103

CRM-M-20922-2019(O&M)

Date of Decision:30.08.2019

Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Shokeen Singh Verma, Advocate,  
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Arjun Sheoran, Advocate,  
for the complainant.

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HARI PAL VERMA, J.(Oral)

CRM-25567-2019

Prayer in this application filed under Section 482 Cr.P.C. is for placing on record translated version of CD attached with the petition as Annexure A-1.

Application is allowed, as prayed for. The document(Annexure A-1) is taken on record.

CRM-M-20922-2019

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.12 dated 18.04.2019 under Sections 342/363 IPC, Section 75 of the Juvenile Justice Act and Section 3 of the Scheduled Castes & Scheduled Tribes Act(the offence punishable under Sections 6/18 of the

Protection of Children from Sexual Offences Act, 2012 was added later on), registered at Women Police Station Hansi.

Power of attorney filed on behalf of the complainant today in the Court, is taken on record.

Learned counsel for the petitioner states that pursuant to the order dated 08.05.2019 passed by this Court, petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Asha, does not dispute the aforesaid fact and states that the custodial interrogation of the petitioner is no more required at this stage. Even challan has been presented in the case.

At this stage, learned counsel for the complainant has argued that the allegations against the petitioner are serious. In view of Section 29 of the POCSO Act, presumption has to be drawn against the petitioner. He further states that Section 18 of the SC&ST Act debars anticipatory bail.

Heard learned counsel for the parties.

Considering the fact that since the petitioner has joined the investigation and his custodial interrogation is no more required and the nature of allegations, present petition is allowed and the interim bail granted to the petitioner vide order dated 08.05.2019 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

**August 30, 2019**  
**seema**

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No