

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

210

CRM-M-23435-2019

Date of Decision:31.10.2019

Raju and others**.....Petitioners****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.****Present: Mr. Pawan Kumar Hooda, Advocate,
for the petitioners.****Ms. Priyanka Sadar, AAG, Haryana.************HARI PAL VERMA, J.(Oral)**

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners in FIR No.784 dated 05.12.2017 under Sections 34, 363, 366-A IPC (the offences punishable under Section 120-B IPC and Section 4 of the POCSO Act, 2012 were added later on), registered at Police Station Samalkha, District Panipat.

This Court had passed the following order on 22.05.2019:-

“Counsel for the petitioners states that neither in the FIR registered at the behest of mother of the prosecutrix nor in the statement made by the prosecutrix under Section 164 Cr.P.C., there is any allegation of rape against the petitioners. The only allegation against the petitioners is that they facilitated in enticing away the daughter of the complainant so that she can get marry with Rahul. The police conducted investigation and found the petitioners innocent. It is on the basis of application filed under Section 319 Cr.P.C., the petitioners have been summoned to face trial.

Notice of motion for 07.08.2019.

Meanwhile, the petitioners are admitted on interim bail

subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court. The trial Court may put any other condition as it may deem fit.”

Learned counsel for the petitioners states the pursuant to the aforesaid order, the petitioners have appeared before the trial Court and have been admitted on bail.

Learned State Counsel submits that the petitioners were found innocent during the course of investigation and it is on the basis of application filed by the prosecution under Section 319 Cr.P.C., they have been summoned to face trial.

Heard learned counsel for the parties.

The petitioners were found innocent during the course of investigation and they have been summoned to face trial on the basis of application filed under Section 319 Cr.P.C. to face trial. Since, the petitioners have appeared before the trial Court and have been admitted on bail, the present petition is allowed and the interim bail granted to the petitioners vide order dated 22.05.2019 is made absolute.

However, it is made clear that the petitioners shall continue to appear before the trial Court and face the trial in accordance with law unless their personal appearance is exempted.

October 31, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No