

..

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

218

CRM-M-29481-2019.

Date of Decision: 26.09.2019.

Sanjay

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. P.R. Yadav, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Mr. J.P. Sharma, Advocate for the complainant.

Shekher Dhawan, J.

Present petition under Section 438 of the Code of Criminal Procedure is for grant of anticipatory bail to the petitioner in case F.I.R. No.254 dated 22.08.2018 registered under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short, "**the Act**"), at Police Station Nangal Chaudhary, District Mahendergarh.

2. Memo of appearance filed on behalf of the complainant is taken on record.

3. Learned counsel representing the petitioner contended that, in fact, complainant party was not interested in prosecution of the present case as they did not get recorded their statements under Section 164 Cr.P.C. Co-accused of the petitioner, namely, Harish has already been granted anticipatory bail by learned Additional Sessions Judge, Narnaul.

..

The petitioner is ready to join the investigation.

4. Learned State counsel as well as learned counsel for the complainant, while opposing the prayer for anticipatory bail, contended that the petitioner is not entitled to the concession of anticipatory bail. The victim was sexually assaulted 3-4 times even before 21.07.21018 and criminally intimidated by the petitioner which prevented the victim to recount his trauma to anybody. The age of the victim is about 17 years and the age of the petitioner is 44 years. The petitioner is required for effective investigation of the matter. So, the present petition for pre-arrest bail be dismissed.

5. Having considered the above submissions and taking into consideration the fact that the allegations against the petitioner are of serious nature including offence under Section 6 of the POCSO Act, no case is made out for grant of anticipatory bail to the petitioner.

6. Resultantly, the present petition is dismissed.

(SHEKHER DHAWAN)
JUDGE

26.09.2019
jitender/som

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