

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

CRM-M-43047-2019(O&M)

Date of decision: 13.11.2019

Salinder

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vikram Singh, Advocate for the petitioner
Mr. Manish Bansal, DAG, Haryana
Mr. P.S.Sullar, Advocate for complainant

ANIL KSHETARPAL, J. (ORAL)

On 17.10.2019, following order was passed by this Court:-

“Petitioner prays for grant of pre-arrest in
FIR No.141 dated 11.09.2019 registered under Sections
328, 450, 506 of the Indian Penal Code and under
Section 4 of Prevention of Children from Sexual
Offences Act, 2012 at Police Station, Garhi, District Jind.

Learned counsel for the petitioner contends
that as per the allegations, first incident is of 25.08.2019,
whereas the second incident is of 30.08.2019. Still, FIR
was registered after a delay of 12 days i.e. on
11.09.2019. He further submits that there is no evidence
of force and assault.

This Court has heard the learned counsel for
the petitioner as well as the learned counsel for the State.

Keeping in view the facts of the case, it is

considered appropriate to direct the petitioner to join the investigation.

List on 13.11.2019.

In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from SI Santosh has submitted that petitioner has joined investigation, cooperated and not required for further custodial interrogation.

Learned counsel appearing for the first informant-complainant has submitted that petitioner is accused in heinous crime and therefore, the benefit of pre-arrest bail should not be granted to him.

This Court has considered submissions with reference to the allegations made in the First Information Report. It would not be appropriate for this Court to advert to the merits of the case lest it may prejudice the case of one of the parties.

Keeping in view the facts of the case, order dated 17.10.2019 is hereby made absolute.

Petition stands allowed.

13.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No