IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

202 **CRM-M-13707-2020**
Decided on : 20.08.2020

Hari Om ... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Abhishek Goyal, Advocate, for the petitioner.

Mr.Anant Kataria, DAG, Haryana.

(The proceedings are being conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C., by the petitioner for grant of anticipatory bail in FIR No.33 dated 27.02.2020 lodged under Section 6 of POCSO Act, 2012& Sections 120-B & 506 IPC at Police Station Women Central Faridabad, District Faridabad.

On 02.06.2020, the following contention had been noted:

> "Counsel for the petitioner *inter alia* contends that the date of birth of the prosecutrix is 08.06.2000 and the allegations of rape are on 21.04.2018 when she was 17 years 10 months and 13 days of age, due to which, the anticipatory bail of the petitioner has been declined. The parties got married on 21.11.2019 (Annexure P-3) and appeared before the Sessions Judge, Palwal on 19.02.2020 and even the parents as such had given a statement that they will not cause any harm to the complainant in case she accompanies them for some marriage functions. Thereafter, the FIR has been lodged on 27.02.2020.

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Notice of motion.

Mr. Chetan Sharma, AAG, Haryana, accepts notice.

Adjourned to 20.08.2020.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C."

Counsel for the petitioner submits that the petitioner has joined investigation. Said fact is vouched by the State Counsel, on instructions from SI-Seema. He further submits that the petitioner is not required for further investigation.

Accordingly, in view of the above, the interim bail granted on 05.06.2020 is made absolute.

Petition stands disposed of.

(G.S. SANDHAWALIA)
JUDGE

AUGUST 20, 2020
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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