

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52887-2019
Date of Decision: 13.02.2020

Moninder Singh

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Deepender Singh, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG Haryana assisted by
ASI Shishpal.

* * *

VIVEK PURI, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.496 dated 15.11.2019, under Section 79 of Juvenile Justice (Care and Protection of Children) Act, 2015 registered at Police Station Dabua, District Faridabad (Haryana).

On 12.12.2019 following order was passed:

“Contends that there is no material at all to substantiate that petitioner has engaged any child and kept him in bondage for the purpose of employment or subjected to any physical violence.

Notice of motion for 13.02.2020.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his

satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

It has been stated by learned counsel for the petitioner that petitioner has joined the investigation pursuant to the interim directions issued by this Court and furthermore, there is nothing to suggest that any of the child was kept by him in bondage.

Learned State counsel, on instructions from ASI Shishpal, has not disputed that petitioner has joined the investigation and he has also stated that nothing is to be recovered from him.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 12.12.2019 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

13.02.2020
Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No