

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102+206)

CRM-M-21808-2021 (O&M)
Date of decision: - 28.10.2021

Lalit Kumar Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sunny Bhardwaj, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Addl. Advocate General, Haryana.

...

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

CRM-36036-2021

For the reasons given in the application, it is allowed.

Affidavits are taken on record as Annexures A-1 and A-2,
respectively.

CRM-M-21808-2021

While granting interim protection to the petitioner, this Court
passed the following order on 01.06.2021:-

*“The Court has been convened through video
conferencing due to Covid-19 Pandemic.*

*Instant petition has been filed under Section
438 of the Code of Criminal Procedure, 1973 seeking
anticipatory bail in case FIR No.125 dated 27.04.2021
under Sections 75 and 79 of the Juvenile Justice (Care
and Protection of Children) Act, 2015, registered at
Police Station Siwani, District Bhiwani (Haryana).*

Counsel for the petitioner contends that neither offence under Section 75 nor under Section 79 of the Juvenile Justice (Care and Protection of Children) Act, 2015 is made out against the petitioner.

Notice of motion.

On asking of the Court, Mr. Manish Dadwal, AAG, Haryana accepts notice on behalf of respondent-State.

List on 05.10.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

On 05.10.2021, this Court directed the petitioner to file an affidavit that he will not employ any child in his Restaurant. In compliance thereof, an affidavit has been filed by the petitioner, wherein he has submitted that in future he will engage employees after verifying their age and ensuring that they are above the age of 18 years.

By making a reference to the reply of Deputy Superintendent of Police, Siwani filed on behalf of the respondent-State, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 01.06.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

It is clarified that nothing said hereinabove shall be construed to be an expression on the merits of the case.

28.10.2021
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No