

**205/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-36076-2021
Decided on : 09.12.2021

Mukesh Kumar @ Kesar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amit Khari, Advocate for
Mr. Siddarth, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.226 dated 07.08.2021 under Section 8 of POCSO Act, 2012 registered at Police Station Chappar District Yamuna Nagar.

Learned counsel for the petitioner states that the petitioner has since joined the investigation in compliance of order dated 02.09.2021, which was passed in the following terms:

“Learned counsel submits that the co-accused Jora Singh @ Happy and the victim were friends. However, as the victim's family was against their friendship on account of strained relations between the families, the FIR in question was registered. He submits that the petitioner has been implicated in the case in hand only because he happens to be a friend of the said Jora Singh. He submits that even as per the allegations levelled in the FIR, it has only been stated that the petitioner along with the co-accused Jora Singh tried to tease the victim and catch hold of her arm. It is further

stated that the co-accused Jora Singh had been granted the concession of bail vide order dated 25.08.2021 passed in CRMM-34838-2021 (Annexure P2).”

Learned State counsel on instructions from SI Surinder Kumar states that the petitioner is not required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 02.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No