

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

CRM-M-32532-2020

Date of decision : 18.08.2021

Krishan Kumar

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Tanvir Singh Grewal, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Sandeep Kumar Yadav, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.388 dated 03.09.2020, under Section 10 of the Protection of Children from Sexual Offences Act, 2012 and Sections 506, 34 of Indian Penal Code, 1860, at Police Station Khol, District Rewari, Haryana.

In pursuance to order dated 25th November, 2020, the petitioner was directed to join investigation.

Today, counsel for the petitioner submits that the petitioner has joined investigation. In pursuance to the same, learned State counsel has submitted that vide order dated 7th January, 2021, the Court had directed to examine the call details of the petitioner because he had taken

the stand of *alibi* of not being present at the relevant time at the place of occurrence. The reply by way of affidavit has been filed by Hansraj, DSP, Headquarters, District Rewari along with call details. It has been submitted that in view of the analysis of the call details, the plea of *alibi* taken by the petitioner is false. However, this Court is seized of the matter pertaining to the limited plea of anticipatory bail. Learned State counsel on instructions from ASI Surinder Kumar submits that the petitioner has joined investigation and the investigating agency is in a position to file the challan. The analysis of the call details filed here would be the exclusive domain of the trial Court for the further appreciation.

Learned counsel for the complainant has opposed the grant of anticipatory bail to the petitioner.

This Court would refrain to give any comment on the merits of the same. Accordingly, interim order dated 25.11.2020 is made absolute.

(RAJESH BHARDWAJ)
JUDGE

18.08.2021
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No