

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.206

CRM-M-7971-2021

Date of decision: 02.08.2022

Furkan

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Ms. Sheenu Sura, DAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.31 dated 21.01.2019 registered under Sections 363 and 366-A IPC and Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Naraingarh.

The petitioner is being prosecuted for having facilitated the handing over of a minor girl to co-accused Sarfraj, who then sexually exploited her.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; after lodging of the FIR, the petitioner had fully cooperated with the investigation; after investigation, the petitioner had been declared to be innocent; only on the basis of bald allegations made against him, the petitioner was summoned to face trial under Section 319 Cr.P.C.; in the petitioner's trial, the entire prosecution evidence has already been led; even during the course of his trial, the petitioner never misused the concession of bail so granted to him by this

Court and that at this stage, the petitioner's custodial interrogation would not be necessary.

Learned State counsel admits to the fact that initially, after investigation, the investigating agency had declared the petitioner to be innocent; the petitioner was summoned to face trial in proceedings under Section 319 Cr.P.C; in the petitioner's trial the entire prosecution evidence has been led and that not only did the petitioner cooperate during the investigation, he also did not misuse the concession of bail during the course of his trial.

After considering the afore submissions made on behalf of the petitioner as also the statement made by the learned State counsel, the interim order of this Court dated 19.02.2021, granting ad interim bail to the petitioner is ordered to be made absolute.

August 02, 2022
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(DEEPAK SIBAL)
JUDGE

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