

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-9666 of 2022
Date of decision:-15.09.2022

Pawan Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Satbir Gill, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Kamal Narula, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

On 04.05.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 Cr.P.C seeking anticipatory to the petitioners in case FIR No.518 dated 04.12.2021 registered under Sections 354-A, 354-D, 34 of Indian Penal Code, 1860 and Sections 12, 21 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Rania, District Sirsa (Annexure P-1).

Counsel for the petitioners submits that allegations against the petitioners, who are young boys, are that they misbehaved with the complainant and made objectionable gestures. He submits that insofar as accused, Sonu and Anmol are concerned, both of them are juveniles and have been

released on anticipatory bail. He submits that FIR is an outcome of misunderstanding which has been cleared and a compromise has been entered into between the parties, which has been verified by the State as is apparent from the status report filed by way of an affidavit dated 20/22.04.2022 of Deputy Superintendent of Police, Dabwali.

Counsel appearing on behalf of respondents No.2 and 3 has admitted the factum of compromise and the statements made by the complainant as well as by her father before the police.

List on 15.09.2022.

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

Petitioners will also furnish affidavits to the effect that they will not indulge in any misbehaviour or objectionable activity or trouble the complainant or her family members, to this Court as well as to the Investigating Officer within a period of fortnight from today.

It is made clear that in case, the petitioners violate the terms of the affidavits, interim protection granted to them shall

be liable to be vacated.”

Separate affidavits dated 16.05.2022 of both the petitioner have been filed before this Court, which are taken on record.

Upon instructions received from PSI Ravinder Kumar, State counsel submits that petitioners have joined the investigation and they are no longer required for custodial interrogation. Still further, she submits that affidavits have been furnished by the petitioners before the Investigating Officer, in terms of the order passed by this Court.

In view of the above, but without commenting upon the allegations levelled in the FIR, present petition is allowed. Order dated 04.05.2022 granting interim bail to the petitioners, is made absolute, subject to conditions laid down in Section 438(2) Cr.P.C.

September 15, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No