

CRM-M-40049-2022(O&M)
Date of decision: 02.12.2022

CHANDER PARKASH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. G.S.Goria, Advocate with
Mr. Karanjeet Singh Rai, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

VIVEK PURI, J. (ORAL)

Mr. A.S.Sohal, Advocate has put in appearance on behalf of the complainant and filed memo of appearance, which is taken on record.

On 13.09.2022, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No.33 dated 26.07.2022 under Sections 354-D, 506, 120-B IPC and Sections 10, 12 and 17 of Protection of Children from Sexual Offences Act registered at Police Station Women, District Sirsa, Haryana.

Learned counsel for the petitioner states that the victim is aged about 13 years and the allegations are to the effect that her bua namely Poonam had made video call with the victim and shown her face to the petitioner. The screen shot of the video call was taken and to upload the video on the social media, she was threatened to talk with the petitioner. Furthermore, the petitioner along with the co-accused namely Balvir, Gurvir and Binder had been following her while she was going to the school and extending threats to kill her. There is nothing obscene in any screen shot alleged to have been taken during the course of video call. Furthermore, there is no allegation with regard to any sexual assault having been committed upon the victim by the petitioner.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG Haryana accepts notice on behalf of the State.

Adjourned to 02.12.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to

interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has joined the investigation.

On instructions from SI Sushil Bala, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 13.09.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

02.12.2022

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(VIVEK PURI)
JUDGE

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