

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM-M-47145-2021

Date of decision:- 25.04.2022

Satish Sharma

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Angel Sharma, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana for State-respondent No.1.

None for respondent No.2.

...

SUVIR SEHGAL, J. (Oral)

While granting interim protection to the petitioner, this Court passed the following order on 14.02.2022:-

“Prayer in the instant petition filed under Section 438 Cr.PC is for grant of anticipatory bail in case FIR No.288 dated 03.09.2015 registered under Sections 363, 366-A, 120-B IPC and Section 4 of POCSO Act at Police Station Chandhuth District Palwal.

Learned counsel submits that FIR in question was registered at the instance of father of the victim, aged 17 years 10 months. He further submits that subsequent the registration of FIR, the police during investigation did not find any substance in the allegations levelled as a result of which the cancellation report was prepared and presented, which was accepted by the trial Court concerned. However, subsequently a protest petition was filed by the complainant (Annexure P-3) and the petitioner has now been summoned to face trial. He further submits that the petitioner has genuine apprehension that as and when he appears before the trial Court on the next date of hearing, he could be taken into the custody. He still further submits that in the facts and circumstances of the case, his custodial interrogation would not be required as it would not serve any purpose.

On being put to notice, learned State counsel on instructions does not dispute the submissions made by counsel opposite of the investigating agency filing a cancellation report and the same being accepted by the trial Court.

Adjourned to 25.04.2022.

Meanwhile, the petitioner is directed to appear before the trial Court within a period of two weeks from today. On his appearance, he shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

A copy of the order be produced on the next date of hearing.”

Reply by way of an affidavit of Deputy Superintendent of Police, Palwal, District Palwal has been filed on behalf of State-respondent No.1, which is taken on record.

Counsel for the petitioner submits that in compliance of the above reproduced order, the petitioner has appeared before the Trial Court and has been released on interim bail vide order dated 21.02.2022, a copy of which has been placed on the record.

In view of the above, order dated 14.02.2022 is made absolute.

Petition is allowed.

(SUVIR SEHGAL)
JUDGE

25.04.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No