

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53355-2021
Date of Decision: 02.08.2022

AASHURAJ ... PETITIONER
V/S
STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Anshumaan Dalal, Advocate for the petitioner.

Mr. Zorawar Singh Chauhan, DAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

On 21.12.2021, following order was passed:

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No.054 dated 07.07.2021 under Sections 341/354/354-D/506/34 IPC and Section 12 of the Protection of Children from Sexual Offences Act registered at Police Station Women Charkhi Dadri, District Charkhi Dadri.

Briefly, the allegations against the petitioner are to the effect that he alongwith his co-accused Aashish had outraged the modesty of the daughter of the complainant.

Learned counsel for the petitioner contends that he has been falsely implicated in the instant case. An FIR No. 0098 dated 09.07.2021 under Sections 148/149/323/365/506 IPC and Section 3 (2) (va) of the Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act was registered at the instance of the petitioner against the husband of the complainant and others with regard to the injuries having been inflicted upon him. The DDR was recorded on 05.07.2021 and later on the FIR was registered.

Notice of motion.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State.

Adjourned to 14.03.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the

Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

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

Learned State counsel, on instructions from SI Urmila Devi, submits that the petitioner has joined the investigation, his custodial interrogation is not required and furthermore, the challan has been prepared and the same is to be submitted in the Court in a short period of time.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 21.12.2021 is made absolute.

The petition stands allowed.

02.08.2022

Janki

(VIVEK PURI)
JUDGE

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