

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12297-2022 (O&M)

Date of Decision : 04.07.2023

Satish

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. M.K. Bhatnagar, Advocate for
Mr. Rampal Verma, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG Haryana

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ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.382 dated 07.12.2021 registered under Sections 363/366-A/376(2)(n) of the Indian Penal Code, 1860 and Section 6/17 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Bawal, District Rewari, Haryana

2. On 09.03.2023 the following order was passed :

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.382, dated 07.12.2021 registered under Sections 363/366-A/376(2)(n) of IPC and Section 6/17 of the Protection of

Children from Sexual Offences Act, 2012, at Police Station Bawal, District Rewari, Haryana (Annexure P-2).

Learned State counsel has already filed the reply.

Learned counsel for the petitioner submits that, in fact, as per the statement of the prosecutrix, it transpired that there is no allegation against the petitioner and rather the prosecutrix is living with the main accused-Rohit out of her own will and has also performed the marriage on 08.12.2021.

In the light of the above, the petitioner shall join investigation on 18.03.2023 at 10.00 A.M before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 30.05.2023.”

3. Learned counsel for the petitioner would contend that in the status report filed by the respondent – State, statement of the victim has been appended wherein she had clearly stated that she had gone voluntarily with

the main accused i.e. Rohit and in fact they had got married in the temple on 08.12.2021 and they are living together.

4. Learned counsel for the State, on instructions from ASI Mukesh Kumar states that the petitioner has since joined investigation and is fully co-operating and that he is no longer required for further custodial interrogation as of now.

4. In view of the above, the order dated 09.03.2023 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

5. Disposed off accordingly. Pending applications, if any, also stand disposed off.

04.07.2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO