

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRA-S-1545-2023
Date of Decision:-24.08.2023

Fakruddin

.....Appellant

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Anas Ahmed, Advocate for
Mr. Kuldeep Sharma, Advocate for the appellant.

Mr. Tanuj Sharma, AAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present appeal has been filed against the order dated 01.05.2023 passed by Additional Sessions Judge (Fast Track Special Court for Trial of Offences under POCSO Act, Nuh), whereby the anticipatory bail of the appellant has been dismissed.

2. In compliance of order dated 26.05.2023, learned State counsel submits that the appellant has joined the investigation.

3. At this stage, Mr. Munfaid Khan, Advocate has put in appearance and filed his *Vakalatnama* on behalf of complainant in Court today, which is taken on record and submits that there are serious allegations under the SC/ST Act against the appellant, however, could not demonstrate a single line from the FIR to corroborate the same.

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4. It is submitted that, in fact, the challan has already been presented against the brother of the present accused, who is in custody and appropriate provisions have been imposed.

5. In light of the above, the present appeal is allowed. The order dated 26.05.2023 granting interim bail to the appellant, is made absolute. However, the appellant shall join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

6. It is however made clear that this order should not give parity to the other accused.

(ALOK JAIN)
JUDGE

August 24, 2023

Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No