



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

211

CRM-M-20029 of 2024

DATE OF DECISION :- 13.05.2024

Sachin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Ayush Koul, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 512 dated 12.12.2023, registered for offences under Sections 363,366-A,376,506 of the IPC and Section 6 of POCSO Act at Police Station Chandhut, Palwal.

2. On 24.04.2024, the following order was passed:-

“Apprehending his arrest in FIR No.512 dated 12.12.2023 registered for offences punishable under Sections 363, 366-A, 376 and 506 IPC and Section 6 of POCSO Act, at Police Station Chandhut, Palwal; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre- arrest bail.

Inter alia contends that the petitioner and the victim had consensual friendship which was not to the liking of the family; the date of birth of the victim is 24.01.2006 and after attaining the age of majority on 24.01.2024, the petitioner and the victim have married each other on 29.01.2024; the factum of marriage being solemnized between the petitioner and the victim is clearly decipherable from the marriage certificate (copy



whereof has been appended as Annexure P-2) as also marriage registration certificate (copy whereof has been appended as Annexure P-3); the petitioners had earlier approached this Court for grant of protection vide CRWP-1766-2024; no recovery is to be made from the petitioner & he is willing to join investigation and cooperate therein in accordance with law. Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, appears and accepts notice on behalf of the respondent-State. Adjourned to 13.05.2024.

The petitioner is directed to appear before the Investigating Officer on 29.04.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr. P.C.”

3. Learned State counsel, on instructions from ASI Ravinder has stated that pursuant to the order dated 24.04.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition stands allowed and the interim order dated 24.04.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.



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6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

13.05.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No