



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-29946-2024

Date of Decision: 01.08.2024

Jatin Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Namit Khurana, Advocate for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 127 dated 22.05.2024 (Annexure P-1) registered under Sections 328 and 506 IPC (Section 4 of the Protection of Children from Sexual Offences Act, 2012 deleted later on) and (Section 6 of the POCSO Act, added later on) at Police Station Chhachhrauli, District Yamuna Nagar.

On 14.06.2024, when this case was listed for hearing, following order was passed by a co-ordinate Bench of this Court:-

“The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.127, dated 22.05.2024 under Sections 328 and 506 of the Indian Penal Code, 1860 and (Section 4 of the POCSO Act, 2012 deleted and Section 6 of the said Act added later on) registered at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner inter alia contends



that the petitioner alongwith the complainant had earlier approached this Court for seeking protection by way of filing CRWP No.5304 of 2024, wherein the appropriate orders were passed by this Court. It was later on that under the pressure of the family members, the present FIR has been registered against the petitioner, even though the parties were voluntarily engaged with each other.

Notice of motion.

Ms. Rajni Gupta, Addl. A.G., Haryana accepts notice and prays for some time to complete instructions and file response, if necessary.

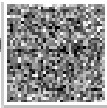
Adjourned to 01.08.2024.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of the petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on his furnishing bail/surety bonds to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 14.06.2024 the petitioner has joined the investigation.

On instructions from SI Sudesh, learned counsel for the State submits that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation on 28.07.2024 and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 14.06.2024 is made absolute.



However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and co-operate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case, at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

Pending application(s), if any, shall also stand disposed of.

01.08.2024
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(NIDHI GUPTA)
JUDGE

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