

CRM-M-50031 of 2023

1

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

215

CRM-M-50031 of 2023

DATE OF DECISION :- 13.08.2024

Aashish**...Petitioner****Versus****State of Haryana and another****...Respondents****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:-** Mr. Pradeep Bhukal, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Vishal Borwal, Advocate for complainant-respondent No. 2.

*********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. 0502 dated 14.09.2021, registered for offences under Sections 363,366-A,376 (added later on) of the IPC and Section 6 of POCSO Act (added later on) and Section 66-E of IT Act (added later on), at Police Station City Bhiwani, Haryana.

2. On 17.07.2024, the following order was passed:-

“Inter alia contends that the petitioner and the victim have solemnized marriage with each other and are living happily; vide order dated 18.01.2024 earlier passed by this Court it was directed that no coercive steps shall be taken against the petitioner and the



petitioner has not misused the said concession till date & the petitioner is willing to join investigation and cooperate therein.

Adjourned to 13.08.2024.

The petitioner is directed to appear before the Investigating Officer on 22.07.2024 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 Insp. Satyanarayan has stated that pursuant to the order dated 17.07.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has ratified the contentions raised by learned counsel for the petitioner as reflected in the order dated 17.07.2024.

5. In view of above, the present petition stands allowed and the interim order dated 17.07.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. 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.

7. 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.



CRM-M-50031 of 2023 **3**

8. 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

13.08.2024
P.Singh

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