

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-52155-2024 (O&M)
Date of Decision:- 29.11.2024

BASANT KUMAR

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Roopak Bansal, Advocate for the petitioner.
Mr. Ramender Singh Chauhan, AAG Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
109	03.06.2020	377 and 506 IPC	Jatusana, District Rewari Haryana

2. Learned counsel for the petitioner has submitted that in
compliance to the order dated 07.11.2024 passed by this Court, the petitioner
has appeared in the Court and furnished his requisite bail bonds. He has
placed on record copy of the order dated 16.11.2024 passed by learned
Additional Sessions Judge, Fast Track Special Court, Rewari, whereby the
petitioner has been admitted on interim bail by the learned trial Court.



3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 07.11.2024 the following order was passed.

“3. Learned counsel for the petitioner submits that the petitioner was granted concession of anticipatory bail in the instant FIR (Annexure P-1) by this Court in CRM-M-16242-2020 titled as ‘Basant Kumar vs. State of Haryana’.

4. On the same allegations the learned Magistrate Ist Class, Kosli vide order dated 07.10.2024 has committed the case to the Sessions by invoking the provisions under the POCSO Act without there being any additional evidence coming on record.

5. It is submitted by learned counsel for the petitioner that no new evidence has cropped up after the grant of bail by this Court and this aspect has not been considered by the learned Trial Court.

6. Learned State counsel by referring to the photocopy of the MLR produced today in the Court has stated that no injury is reported in the MLR but only the version of the victim regarding some alleged occurrence having taken place in the year 2014 is mentioned therein.

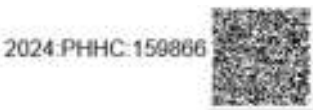
7. It is submitted that the case is now pending before the learned Trial Court for 16.11.2024.

8. In these circumstances, without commenting and keeping in view the aforesaid facts and circumstances and also the law laid down in ‘Pradeep Ram vs. The State of Jharkhand’ passed by the Hon’ble Supreme Court, the petitioner is directed to appear before the learned Trial Court on or before 16.11.2024 and in that event he is ordered to be admitted to interim bail by furnishing personal/surety bonds to the satisfaction of the learned Trial Court.

9. List on 29.11.2024.”

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 07.11.2024 passed by this Court, the present petition is allowed.

The interim bail granted vide order dated 07.11.2024 is hereby confirmed,



subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 7. The petition stands allowed.
- 8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

29.11.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |