



CRM-M-52680-2024

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255 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52680-2024

Date of decision: 02.12.2024

ASHISH @ SAGAR

...PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanchit Punia, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Ms. Jasleen Kaur, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C./482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of anticipatory bail to the petitioner in case FIR No. 182 dated 13.05.2023 registered at Police Station Hansi Sadar, Hansi under Sections 328, 346, 354-A (1)(i), 354-C, 354-D, 376, 376(2)(n), 450, 509 IPC, Section 8, 6 & 12 of POCSO Act and Section 67 A & 67 B of the Information Technology Act.

2. On 23.10.2024, following order was passed:

"The present petition has been filed under Section 438 Cr.P.C./482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of anticipatory bail to the petitioner in case FIR No. 182 dated 13.05.2023 registered at PoliceStation Hansi Sadar, Hansi under Sections 328, 346, 354-A (1)(i), 354-C, 354-D, 376, 376(2)(n), 450, 509 IPC, Section 8, 6 & 12 of POCSO Act and Section 67 A & 67 B of the Information Technology Act.

Learned counsel for the petitioner inter alia



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contends that the petitioner is not named in the FIR. Even during the investigation, he was found innocent. The allegations against the petitioner levelled in the statement of the prosecutrix recorded during the trial are that the room of the petitioner was used by the co-accused for committing sexual offence against the prosecutrix. Now, the petitioner has been summoned with the aid of Section 319 Cr.P.C. and it is contended the petitioner is ready to face the trial and join the proceedings before the trial Court.

Notice of motion.

Mr. Amrik Singh Narwal, D.A.G., Haryana accepts notice on behalf of the State.

Ms. Jasleen Kaur, Advocate has filed power of attorney on behalf of respondent Nos.2 and 3 and submitted that they have no objection if the petition is allowed.

Adjourned to 02.12.2024.

In the meanwhile, the petitioner is directed to surrender before the trial Court on 25.10.2024 and in that event, he shall be released on interim bail to the satisfaction of the trial Court."

3. Learned counsel for the petitioner submits that the petitioner has complied with the directions issued by this Court on 23.10.2024 and has already surrendered before the learned trial Court on 08.11.2024 and he has been released on bail to the satisfaction of the trial Court and the petitioner further submits that he has been summoned under Section 319 Cr.P.C and he undertakes to appear before the learned trial Court on each and every day.

4. Ms. Jasleen Kaur, Advocate appears and submits that the she has no objection, if the present petition is allowed during the pendency of the trial, the

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parties have already resolved their dispute and effected the compromise.

5. Learned State counsel on instructions, submits that in compliance of order dated 23.10.2024 passed by this Court, the petitioner has surrendered before the learned trial Court.

6. Keeping in view the statement made by learned State Counsel, the order dated 23.10.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./482 (2) of B.N.S.S.

7. The present petition is disposed of accordingly.

02.12.2024

*renubala***(HARPREET SINGH BRAR)**
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No