

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

223

CRM-M-59612-2023 (O&M)  
Date of Decision: 28.02.2024

RAJESH KUMAR  
STATE OF HARYANA

VERSUS

....Petitioner  
....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Harchand Singh Batth, Advocate for the petitioner.  
Mr. Arjun Lakhanpal, Addl. A.G. Haryana.  
Mr. Susheel Gautam, Advocate for the complainant.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C.

seeking anticipatory bail in FIR mentioned below:-

| FIR No. | Dated      | Police Station                           | Sections                         |
|---------|------------|------------------------------------------|----------------------------------|
| 538     | 23.09.2023 | Police Station<br>Ambala City,<br>Ambala | Section 10 of<br>POCSO Act, 2012 |

2. Vide order dated 28.11.2023 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.
3. Learned State counsel has filed status report dated 27.02.2024 and states that the petitioner has joined the investigation and he is not required for further custodial interrogation.
4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 28.11.2023 granting interim bail to the petitioner is made absolute, subject to the following conditions:-

- (i) The petitioner shall not influence/intimidate or try to meet the prosecutrix, shall not visit their house or try to influence any other witness of the case.
- (ii) the petitioner shall cooperate with the investigation and shall appear before him as and when required.
- (iii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.
- (iv) he shall not commit any similar offence while on bail.

5. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

6. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

**28.02.2024**

Deepak Patwal

**( MANISHA BATRA )**  
**JUDGE**

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO