

2024:PHHC: 016452
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1117-2024

Date of Decision : 06.02.2024

Ankit

...Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sant Lal Barwala, Advocate for the petitioner.

Mr. Ankita Ahuja, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.0060 dated 10.08.2023 registered for the offences punishable under Sections 34, 354-C, 354-D, 376(2) (N) and 506 of IPC at Women Police Station Hansi, District Hansi, Haryana.

2. On 10.01.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 0060 dated 10.08.2023 registered for offences punishable under Sections 34, 354-C, 354-D, 376(2) (N) and 506 IPC at Police Station Hansi, District Hansi; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner had consensual relationship with the prosecutrix which briefly fell apart due to unavoidable circumstances; petitioner and prosecutrix have now agreed to marry each other & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal DAG Haryana appears and accepts notice on behalf of the respondent-State.

Adjourned to 06.02.2024.

The petitioner is directed to appear before the Investigating Officer on 15.01.2024 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 SI Murari Lal has stated that pursuant to the order dated 10.01.2024 the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the interim order dated 10.01.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. 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.
6. 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.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

February 06, 2024
ps

(SUMEET GOEL)
JUDGE

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