

216

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2255-2024 (O&M)

Date of Decision: 21.02.2024

KARTAR SINGH

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. V.P. Singh Rathore, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

...

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. 106 dated 14.12.2023 registered for offences punishable under Sections 452, 354, 323, 506, 427, 148 and 149 IPC at Police Station Harike, District Tarn Taran.
2. On 16.01.2024 , the following order was passed:-

“Apprehending his arrest in FIR No. 106 dated 14.12.2023 registered for offences punishable under Sections 452, 354, 323, 506, 427, 148,149 IPC at Police Station Hrike, District Tarn Taran; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner has been falsely implicated on account of elopement of Nishan Singh with Babbu Kaur; no overt act has been attributed to the petitioner & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 21.02.2024.

The petitioner is directed to appear before the Investigating Officer on 23.01.2024 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 ASI Satnam Singh, has stated that pursuant to the order dated 16.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the petition is allowed and interim order dated 16.01.2024 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 interpreted as 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.

21.02.2024

Jasmine Kaur

(SUMEET GOEL)

JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No