

2024:PHHC:016640

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

211

CRM-M-5042-2024
Date of decision:07.02.2024

Sukhwinder Singh alias Shinda

....Petitioner

V/s

The State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Prince Sharma, Advocate,
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

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.137 dated 07.08.2022, registered for the offences punishable under Sections 363/366-A of IPC at Police Station City Patti, Tehsil Patti, District Tarn Taran.

2. On 01.02.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 137 dated 07.08.2022 registered for offences punishable under Sections 363/366-A IPC at Police Station City Patti, Tehsil Patti, 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 was in a consensual relationship with the victim which was not to the liking of the family of the victim & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

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

Adjourned to 07.02.2024.

The petitioner is directed to appear before the Investigating

Officer on 03.02.2024 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.

To be heard along with CRM-M-53189-2022.”

3. Learned State counsel, on instructions from ASI Rasal Singh, has stated that pursuant to the order dated 01.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the interim order dated 01.02.2024 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.

(SUMEET GOEL)
JUDGE

February 07, 2024
poonam

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