

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-5482-2024 (O&M)

Date of Decision: 12.03.2024

Karandeep Singh

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gautam Dutt, Advocate and
Mr. Rehan Gupta, Advocate
for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

Mr. Saurav Singla, Advocate
for respondent No.2.

SUMEET GOEL, J. (Oral)

1. Status report by way of affidavit of Sanjeev Singla, PPS, Deputy Superintendent of Police, City-1, District Patiala, has been filed in Court today by learned State counsel. The same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

2. On 02.02.2024, the following order was passed:-

“Apprehending his arrest in FIR No.0103 dated 21.07.2023 registered for offences punishable under Sections 363, 366-A, 376(D), 376(2)(n) and 506 IPC and Section 6 of POCSO Act, 2012 at Police Station Division No.4, District Patiala; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Learned senior counsel, inter alia, contends that the FIR was registered on 21.07.2023 and thereafter a supplementary statement was made on 05.08.2023 wherein the petitioner (herein) has been roped in; no specific clear role has been

attributed to the petitioner & he is willing to join investigation and cooperate therein in accordance with law.

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 29.02.2024.

The petitioner is directed to appear before the Investigating Officer on 07.02.2024 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”.

3. Learned State counsel, on instructions from ASI Baljinder Kaur, has stated that pursuant to the order dated 02.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation. He further submits that challan (report under Section 173 Cr.P.C.) has also been filed against the petitioner.

4. In view of above, the present petition stands allowed and the interim order dated 02.02.2024 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 petitioners 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 violate 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.

12.03.2024

D.Bansal

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No