

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

CRM-M-6037 of 2024

DATE OF DECISION :- 09.02.2024

Jagpreet Singh @ Jagga

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Raghav Soni, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

Mr. Amandeep Singh, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. On 05.02.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 189 dated 23.09.2023 registered for offences punishable under Section 376 IPC and Section 66-E and 67-A of the IT Act, 2000 at Police Station Civil Lines, District Amrisar; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner and complainant were in consensual relationship for many years which got strained later on due to supervening circumstances; the petitioner and the complainant have now married on 06.02.2022 & 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.

Mr. Amandeep Singh, Advocate appears and accepts notice for respondent No. 2.

Adjourned to 09.02.2024.

To be shown in the urgent list.

The petitioner is directed to appear before the Investigating Officer on 06.02.2024 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.” ”

2. Learned State counsel, on instructions from ASI Onkar Singh, has stated that pursuant to the order dated 05.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the present petition stands allowed and the interim order dated 05.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. 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.
5. 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.
6. 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

09.02.2024
P.Singh

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No