

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-8488 of 2024

DATE OF DECISION :- 11.03.2024

Sandeep Kaur

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Parunjeet Singh, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. On 21.02.2024, the following order was passed:-

“Apprehending her arrest in FIR No. 0092 dated 09.06.2023 registered for offences punishable under Sections 363,366 IPC and Sections 376,511,506 and 120-B IPC read with Sections 4 of POCSO Act (added later on) at Police Station City Batala, District Batala; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the victim and the brother of the petitioner namely Resham Singh were in a relationship on their own volition; petitioner is a lady aged about 26 years; petitioner has clean antecedents & 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 11.03.2024.

To be heard along with CRM-M-8198 of 2024.

The petitioner is directed to appear before the Investigating Officer on 27.02.2024 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 her 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. She shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

2. Learned State counsel, on instructions from ASI Devinder Singh has stated that pursuant to the order dated 21.02.2024, 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 21.02.2024 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

11.03.2024
P.Singh

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