

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-9187-2024 (O&M)
Date of Decision: 15.04.2024

Surinder Kumar alias Ravi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Mukta Sharma, 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. 135 dated 22.10.2023, registered for offences under Sections 363, 366-A, 34 of the IPC, at Police Station Vairoke, District Fazilka.
2. On 21.02.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 0135 dated 22.10.2023 registered for offences punishable under Sections 363,366-A,34 IPC at Police Station Vairoke, District Fazilka; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the victim had chosen to come to the petitioner on her own accord; victim was being maltreated by one person namely Lovedeep Singh on account of which she

chose to come to the petitioner; the victim has already filed a Criminal Writ Petition No. 1362 of 2024 before this Court seeking adequate security & 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 13.03.2024.

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 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 Jawinder 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.

4. 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.

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

15.04.2024
Satyawar

- 1. Whether speaking/reasoned: Yes/No
- 2. Whether reportable: Yes/No