

CRM-M-9178-2024 (O&M)

2024:PHHC: 060151 - 1 -

306 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-9178-2024 (O&M)

DATE OF DECISION : 01.05.2024

JASKARAN SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

**CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

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**HARPREET KAUR JEEWAN, J. (ORAL)**

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 71 dated 07.08.2023 registered at Police Station Arniwala, District Fazilka, under Section 376 IPC.

2. On 26.02.2024 following order was passed:

“xxxx Learned counsel for the petitioner inter alia contends that it was a consensual relationship of six years between the petitioner and the prosecutrix who is a major. Petitioner is ready to join the investigation. Learned counsel for the petitioner further contends that there is delay of 14 days in lodging the FIR.

Notice of motion.

On advance notice, Ms. Himani Arora, AAG, Punjab, appears on behalf of the State and seeks time to file status report.

Adjourned to 01.05.2024.

In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted

with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned. .”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by this Court.

4. Learned State counsel has also confirmed that the petitioner has joined investigation. State counsel further informs that custodial interrogation of the petitioner is not required.

5. In view of the aforesaid facts and the reasons recorded in the order dated 26.02.2024 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 26.02.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

01.05.2024

Janki

(HARPREET KAUR JEEWAN)  
JUDGE

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*