



CRM-M-9602-2024 (O&amp;M)

- 1 -

216 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-9602-2024 (O&M)  
DATE OF DECISION : 18.07.2024

RACHHPAL SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Piyush Setia, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 20, dated, 03.02.2024, registered at Police Station City-1 Abohar, District Fazilka, under Sections 354 and 506 of the IPC.

2. On 19.04.2024 following order was passed:

“xxxx Learned counsel for the petitioner inter alia contends that as per the FIR, the alleged occurrence took place on 01.12.2023 after the working hours whereas on that date the petitioner was not present in the City Abohar as on 30.11.2023 he left for Amritsar for his passport appointment as per the online receipt annexed as (Annexure P-2).

3. Notice of motion has already been issued in the petition, vide order dated 13.03.2024 passed by this Bench.

4. Today, a status report, dated 08.04.2024 by way of an affidavit of Sh. Arun Mundan, PPS, Deputy Superintendent of Police, Sub-Division Abohar, District Fazilka, has been filed in Court today by learned State counsel. The same is taken on record.

5. In the aforesaid status report, this fact has been confirmed that on 01.12.2023 the petitioner had reached the

**CRM-M-9602-2024 (O&M)****- 2 -**

passport office at Amritsar and he left the said office at 9:55 a.m. However, as per the call details of the mobile phone of the petitioner obtained from the concerned telecom service provider, the petitioner reached Abohar during night hours on 01.12.2023. The matter is still under investigation.

6. Adjourned to 18.07.2024.

7. Keeping in view the above facts and circumstances of the present case, 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 his furnishing bail bonds and surety bonds, 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, on instructions from ASI Nirmal Singh, has confirmed that the petitioner has joined investigation and further custodial interrogation of the petitioner is not required.

5. In view of the aforesaid facts and the reasons recorded in the order dated 19.04.2024 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 19.04.2024 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

**CRM-M-9602-2024 (O&M)****- 3 -**

would be construed to be an expression of opinion on merits of the case.

7. Liberty is also reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

8. All the pending miscellaneous applications, if any, shall stand disposed of.

**18.07.2024**

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**(HARPREET KAUR JEEWAN)  
JUDGE**

*Whether speaking/reasoned : Yes/No*  
*Whether reportable : Yes/No*