

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212-1

CRM-M-9968-2024
Date of decision: 21.03.2024

KARAN

...PETITIONER

V/s

STATE OF PUNJAB

...RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Dr. Rau P.S. Girwar, Advocate with
Ms. Archana Arora, Advocate
for the complainant.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.0005 dated 07.01.2024, registered for the offences punishable under Sections 306, 506, 34 of IPC at Police Station Sangat, District Bathinda.

2. On 26.02.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 0005 dated 07.01.2024 registered for offences punishable under Sections 306,506,34 IPC at Police Station Sangat, District Bathinda; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the allegations against the present petitioner are at the most of intimidation; the allegations relating to Section 306 IPC are against the non-petitioner namely Sheenu Arora & 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.

Dr. Rau P.S. Girwar, Advocate appearing with Ms. Archana Arora, Advocate has filed vakalatnama for the complainant. The same be taken on record.

Adjourned to 21.03.2024.

The petitioner is directed to appear before the Investigating Officer on 01.03.2024 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 Som Parkash, has stated that pursuant to the order dated 26.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel appearing for the applicant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations made against the petitioner are serious in nature and hence ought not to be extended the concession of anticipatory bail.

5. In view of above, the present petition is allowed and interim order dated 26.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. 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.

7. 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.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

March 21, 2024
jatin

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