

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-10605 of 2023 (O&M)
DATE OF DECISION :- 05.02.2024**

Ranveer Karvasra

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Dharmander Kumar Sihag, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. On 03.03.2023, the following order was passed:-

“This is a petition for grant of pre-arrest bail to the petitioner in case FIR No.150 dated 28.10.2019 under Sections 363, 366-A, 376, 506, 120-B IPC (Section 376-D IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 added subsequently) registered at Police Station, Bahav Wala, District Fazilka.

The FIR was lodged by the victim's mother on the allegations that one of her daughters felt pain in stomach 5/6 days prior to lodging of the FIR. They apprehended that it was due to some stone. Since pain did not subside, complainant suspected that her daughter was pregnant. She, thereupon, inquired from her about it, and it was disclosed that about 5/6 months back, when she was alone at home, one day around 01:00 PM, their old neighbor Santosh Rani/ co-accused came to their house and told the complainant's daughter to accompany her to a temple for religious purpose. The complainant's daughter accompanied Santosh Rani. When they reached Bishnoi temple, Santosh Rani told her to get into a car as it was going to the same destination. Her daughter sat in the car, where an unknown person committed rape upon her.

Learned counsel for the petitioner contends that the FIR was lodged in October 28, 2019 and he has not been named either in the FIR or in the supplementary statement of the complainant or the victim. Challan was filed against co-accused Santosh Rani and Ranveer Saharan. During trial, the complainant, victim and her father have been examined, but none of them has supported the prosecution. It is only during trial a DDR dated 17.05.2022, was registered that the petitioner committed rape upon the victim prior to lodging of the FIR dated 28.10.2019. The allegations are clearly an after-thought and cannot be believed at this belated stage.

Learned State counsel, on instructions from ASI Surinder Pal, is not in a position to deny the facts submitted by learned counsel for the petitioner.

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 10.07.2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438(2) Cr.P.C. ”

2. Learned State counsel on instructions from ASI Rajwinder Singh has stated that pursuant to the order dated 03.03.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the interim order dated 03.03.2023 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

05.02.2024
P.Singh

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