

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

**CRM-M-13994 of 2023**

**DATE OF DECISION :- 07.02.2024**

**Harvinderjit Singh**

**...Petitioner**

**Versus**

**State of Punjab and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

**Present:-** Mr. A.P.S. Sandhu, Advocate  
with Mr. V.P.S. Mithewal and  
Mr. Ashish Kaushik, Advocates for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. H.S. Bedi, Advocate for respondent No. 2.

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**SUMEET GOEL, J. (Oral)**

1. On 15.01.2024, the following order was passed:-

*“Apprehending his arrest in FIR No. 32 dated 10.03.2022 registered for offences punishable under Sections 498-A IPC and Sections 376-B, 377 IPC (added later on vide G.D. No.23 dated 07.02.2023) at Police Station Mataur, District SAS Nagar (Mohali); the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.*

*Inter alia contends that petitioner was granted the concession of regular bail vide order dated 17.08.2022 passed by learned ACJM, SAS Nagar for offence under Section 498-A of IPC; vide DDR dated 07.02.2023, the police has sought to add offences under Sections 376-B and 377 of IPC; the petitioner is willing to join investigation and cooperate therein. Learned counsel in order to buttress his*

*arguments has relied upon judgment passed by Hon'ble Supreme Court titled as Pradeep Ram vs. State of Jharkhand & anr., 2019 (17) SCC 326. Adjourned to 07.02.2024.*

*The petitioner is directed to appear before the Investigating Officer on 22.01.2024 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.”*

2. Learned counsel for the complainant has vociferously opposed the grant of anticipatory bail to the petitioner by arguing the matter that the matter in hand is extremely serious in nature and hence anticipatory bail should not be granted to the petitioner.

3. Learned State counsel on instructions from ASI Lakhwinder Kaur has stated that pursuant to the order dated 15.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the interim order dated 15.01.2024 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.

07.02.2024

*P.Singh*

(SUMEET GOEL)

JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |