

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

219

CRM-M-14621-2024
Date of decision: 23.04.2024

PARNAV ALIAS KATTU
V/s
STATE OF PUNJAB
....PETITIONER
....RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

None 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.0013 dated 01.02.2024, registered for the offences punishable under Sections 363, 366 of IPC at Police Station C Division, District Police Commissionerate, Amritsar.

2. On 21.03.2024, the following order was passed:-

“Apprehending his arrest in FIR No.0013 dated 01.02.2024 registered for the offences punishable under Sections 363 & 366 of IPC, 1860 at Police Station C Division, District Police Commissionerate, Amritsar; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail. Inter alia contends that there was consensual friendship between the petitioner & the victim; the parents of the petitioner had exhibited their bona fide by filing CRWP-1104-2024 before this Court for safeguarding the well being of the victim; victim had refused to undergo medical examination & the petitioner is willing to join investigation & cooperate therein.
Notice of motion.
On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab appears and accepts notice on behalf of the respondent-State.
Ms. Divya Gulati, Advocate for Mr.L.M. Gulati, Advocate has entered appearance on behalf of the complainant and has filed hisPower of Attorney.
Adjourned to 23.04.2024.
The petitioner is directed to appear before the Investigating Officer on 27.03.2024 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 Harjit Singh, has stated that pursuant to the order dated 21.03.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the present petition is allowed and interim order dated 21.03.2024 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.
8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

April 23, 2024
jatin