

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
213-1

CRM-M-14578-2024
Date of decision: 02.05.2024

VISAKHA ALIAS VASAKHA SINGH
V/s
....PETITIONER

STATE OF PUNJAB AND ANR
....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

Mr. Ashok Giri, Advocate for respondent No.2.

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.124 dated 09.09.2023, registered for the offences punishable under Sections 363, 365, 366-A, 506 and 120-B of IPC (Section 376 of IPC added later on) at Police Station Subhanpur District Kapurthala.

2. On 08.04.2024, the following order was passed:-

“Inter alia contends that, in fact, the victim-Manpreet Kaur was in relationship with co-accused Nanak Singh and the police had also seen in the CCTV footage of the toll plaza as also hotel(s) at Amritsar which clearly shows that the victim-Manpreet Kaur and the said co-accused- Nanak Singh were living together in such hotel(s) on their own volition; no specific incriminating role has been attributed to the petitioner calling for his custodial interrogation & the petitioner is willing to join investigation and cooperate therein. Accordingly, the petitioner is directed to appear before the concerned Investigating Officer at 11:00 A.M. on 12.04.2024 to join investigation and cooperate therein. Put up on 02.05.2024.”

3. Learned State counsel, on instructions from ASI Harjinder Singh, has stated that pursuant to the order dated 08.04.2024, 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 08.04.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. Learned counsel for the complainant 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 he ought not to be extended the concession of anticipatory bail.
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

May 02, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No