

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19782 of 2024
Date of Decision - 13.05.2024

Rinku Singh
...Petitioner

Versus

State of Punjab and another
...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Shalini Singh, Advocate with
Mr. Gursehaj Preet Singh, Advocate
for the petitioner.

Mr. Yuvraj Singh Tiwana, AAG Punjab

Ms. Suman Bishnoi, Advocate
for respondent No. 2

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 13 dated 15.03.2024, registered for offences under Sections 376(2)(n) of the IPC, at Police Station Khanauri, District Sangrur.

2. On 23.04.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 13 dated 15.03.2024, registered for offences under Sections 376(2)(n) IPC, at Police Station Khanauri, District Sangrur; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner and victim were in a consensual relationship for about 2 ½ to 3 years; the marriage could not be solemnized between the petitioner and the victim on account of supervening circumstances & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On the asking of the Court, Mr. Adhiraj Singh, AAG Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 13.05.2024.

The petitioner is directed to appear before the Investigating officer on 26.04.2024 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) Cr.P.C.”

3. Learned counsel appearing for respondent No. 2-complainant vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations made against the petitioner are very serious in nature and hence he ought not be granted the concession of anticipatory bail.
4. Learned State counsel, on instructions from HC Gurpreet Singh, has stated that pursuant to the order dated 23.04.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
5. In view of above, the present petition stands allowed and the interim order dated 23.04.2024 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

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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.

(SUMEET GOEL)
JUDGE

13.05.2024

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No