



201 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH
CRM-M-21038-2024 (O&M)
Date of Decision: 29.05.2024

SAJAN @ RAVI

...Petitioner

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Parminder Singh Kanwar, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, petitioner is seeking anticipatory bail in case FIR No. 170 dated 07.06.2023 registered under Sections 363, 366, 506 and 120-B of Indian Penal Code at Police Station Sadar Amritsar District Amritsar.

2. On 29.04.2024, following order was passed:

“The instant petition is preferred under Section 438 of the Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’), seeking anticipatory bail in FIR No.170 dated 07.06.2023 under Sections 363, 366, 506, 120-B of the Indian Penal Code, 1860 (for short ‘IPC’), registered at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner, inter alia, contends that the petitioner and respondent No.3 were in a consensual relationship, which was opposed by respondent No.2-complainant. Both of them had eloped and got married. Thereafter, they approached this Court by filing CRWP-6283-2023 seeking protection to their lives and liberty. In the meantime, with the intervention of respectables of the society, dispute between respondent No.2 and the petitioner has



been amicably resolved and a petition seeking quashing of FIR (supra), on the basis of compromise, has already been filed before this Court.

Notice of motion for 29.05.2024.

At this stage, Mr. Amit Arora, Advocate appears on behalf of respondents No.2 & 3 and files Memorandum of Appearance, which is taken on record. He does not dispute the factum of compromise.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioner shall co-operate in the investigation.*

If the arresting officer does not permit the petitioner to join the investigation, the petitioner would appear before the learned Illaqa Magistrate, who would then summon the arresting officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and the trial Court shall decide the same on its own merits, strictly in accordance with law."

3. Learned State counsel on instructions from ASI Sewa Singh, submits that in compliance of order dated 29.04.2024 passed by this Court, the

petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 29.04.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C.
5. The petition is accordingly allowed.

29.05.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No