

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
205

CRM-M No.27411 of 2024
Date of decision : 14.8.2024

Keemti SinghPetitioner
Versus
State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. H.S. Rakhra, Advocate, for the petitioner
Mr. Anup Singh, AAG, Punjab
Mr. M.S. Rai, Advocate, for respondent no.2

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) for grant of anticipatory bail to the petitioner in case FIR No.409 dated 20.9.2023, under Sections 376 and 417 of IPC, registered at Police Station Goindwal Sahib, District Tarn Taran.

Memo of appearance filed on behalf of respondent no.2. Same be kept on record.

2. On 28.5.2024, the following order was passed:

Apprehending his arrest in FIR No. 409 dated 20.09.2023 registered for offences punishable under Sections 376,417 IPC at Police Station Goindwal Sahib, District Tarn Taran; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that there was consensual relationship between the petitioner and the victim which turned sour later on due to supervening circumstances; a ring ceremony was also performed between the



petitioner and the victim in the year 2022 & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

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

Adjourned to 11.07.2024.

The petitioner is directed to appear before the Investigating Officer on 31.05.2024 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) submits that pursuant to the order dated 28.5.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for respondent no.2 has vehemently opposed the grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature and hence, the petitioner ought not to be extended the concession of anticipatory bail. Learned counsel has further argued that the petitioner had earlier established physical relations with the victim by promising to getting married with her but has later on turned back and, hence his conduct disentitles him for the grant of anticipatory bail.

5. Keeping in view the entire facts and circumstances of the case, especially the factum of the petitioner being joined investigation in terms of order dated 28.5.2024 and the State not seeking his custodial interrogation, the interim order dated 28.5.2024, 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 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.

(SUMEET GOEL)
JUDGE

14.8.2024
Ashwani

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