



CRM-M-27728 of 2024 **1**

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

208

**CRM-M-27728 of 2024
DATE OF DECISION :- 15.07.2024**

Sarabjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Dinesh Nagar, Advocate for the petitioner.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

SUMEET GOEL, J. (Oral)

Office note indicates that servie is complete. However, none has caused appearance on behalf of respondent No.2 despite the matter having been passed over.

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 0007 dated 04.05.2024, registered for offences under Sections 498-A, 323,506 of the IPC, at Police Station Women Malerkotla, District Malerkotla.

2. On 29.05.2024, the following order was passed:-

“Apprehending his arrest in FIR No.0007 dated 04.05.2024 registered for offences punishable under Sections 498-A, 323 and 506 of IPC at Police Station Women Malerkotla, District Malerkotla; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the genesis of the FIR in question is the matrimonial discord between the petitioner and the complainant-wife; petitioner is ready for an amicable settlement & petitioner is willing to join investigation and cooperate therein. In order to

**CRM-M-27728 of 2024** **2**

buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments rendered by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, 2014 AIR (SCW) 3930, and reiterated in Md. Asfak Alam Vs. The State of Jharkhand & Anr., 2023 AIR (Supreme Court) 3610.

Notice of motion.

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

Adjourned to 15.07.2024.

The petitioner is directed to appear before the Investigating Officer on 03.06.2024 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 Vijay Kumar, has stated that pursuant to the order dated 29.05.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the present petition stands allowed and the interim order dated 29.05.2024 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



CRM-M-27728 of 2024 **3**

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.

(SUMEET GOEL)
JUDGE

15.07.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No