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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-28954 of 2024
DATE OF DECISION :- 30.07.2024

Rupinder Singh ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Tarun Singla, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

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. 12 dated 24.02.2024, registered for offences under Sections 498-A, 406, 506 of the IPC, at Police Station Qila Lal Singh, District Batala.

2. On 31.05.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 12 dated 24.02.2024 registered for offences punishable under Sections 498-A, 406, 506 of IPC at Police Station Qila Lal Singh, District Batala, 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 matrimonial discord between the petitioner & the complainant-wife; a settlement (copy whereof has been appended as Annexure P-2 with the present petition) has also been effected between the parties & the petitioner is willing to join investigation & cooperate therein.

Notice of motion.

Process dasti qua respondent No.2.



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

Adjourned to 30.07.2024.

The petitioner is directed to appear before the Investigating Officer on 05.06.2024 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.

The SHO of the concerned police Station (through the learned State counsel) is directed to inform respondent No.2 about the pendency of the present petition & the next date of hearing fixed in the present case. The said SHO shall also file a compliance report in this regard.”

3. Learned State counsel, on instructions from ASI Surinder Pal, has stated that pursuant to the order dated 31.05.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Mr. Bhupinderbir Singh Randhawa, Advocate has filed vakalatnama for respondent No. 2. The same be taken on record.

Learned counsel for respondent No. 2 has submitted that the matter has in fact been compromised between the concerned parties.

5. In view of above, the present petition stands allowed and the interim order dated 31.05.2024 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.



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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

30.07.2024
P.Singh

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