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CRM-M-29650-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29650-2024 (O&M)

Date of Decision: 24.07.2024

NIRMAL SINGH ALIAS NIRMALJEET SINGH

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ravinder Singh, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Inder Preet Singh, Advocate for
Mr. L.S. Sidhu, Advocate for the complainant.

...

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.0056 dated 24.04.2024, under Sections 354, 452, 323, 506 and 34 of IPC registered at Police Station Talwandi Sabo, District Bathinda.

2. On 11.06.2024, the following order was passed:-

“Learned counsel for the petitioner inter alia submits that the allegations of molestation were levelled against the father of the petitioner who has been released on regular bail on 04.05.2024 (Annexure P-2). He further submits that petitioner is 18 ½ years old and is not a previous offender. Learned counsel submits that the petitioner is ready to join investigation and abide by the conditions imposed by this Court.

Notice of motion.

On the asking of the Court, Mr. Shekhar Verma, Addl.AG., Punjab, who is present in Court accepts notice on behalf of the respondent-State.

List on 24.07.2024.

In the meantime, the petitioner is directed to appear before the Arresting/Investigating Officer and join investigation. In the event of arrest, he shall be released on interim bail to the

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satisfaction of the Arresting/Investigating Officer, subject to compliance of the provisions of Section 438 (2) Cr.P.C.”

3. Learned State counsel, on instructions from ASI Jaskaur Singh, has stated that pursuant to the order dated 11.06.2024, the petitioner has joined investigation and is no longer required for custodial interrogation. However, learned counsel for the complainant has vociferously opposed the grant of anticipatory bail on the ground that the allegations made against the petitioner are serious in nature & hence he ought not to be granted the concession of pre arrest bail.
4. In view of above, the petition is allowed and interim order dated 11.06.2024 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 interpreted as 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 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.
8. Pending applications, if any, shall also stand disposed off.

24.07.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE