

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33639 of 2023

DATE OF DECISION :- 22.02.2024

Ajeet Giri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. On 03.08.2023, the following order was passed:-

“Learned counsel for the petitioner would contend that the petitioner and the daughter of the complainant are happily married and are residing at Allahabad. It is further the contention that the daughter herself has given an affidavit before the police that she was 19 years of age and that she was in love with the petitioner and further that she got married to the petitioner on her own accord and is now living happily with him.

Notice of motion.

Mr. M.S. Tiwana, AAG Punjab accepts notice on behalf of the respondent-State of Punjab.

Learned counsel for the State, on instructions from ASI-Kewal Kumar, has stated that the girl was a minor and, as per Aadhar Card, her age is 16 years.

List on 20.11.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be

admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

2. Learned State counsel, on instructions from ASI Sukhdev Singh, has stated that pursuant to the order dated 03.08.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the present petition stands allowed and the interim order dated 03.08.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. 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.
5. 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.
6. 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

22.02.2024
P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No