

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

CRM-M-38812 of 2023

DATE OF DECISION :- 23.01.2024

Narinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. G.S. Sharma, Advocate
with Mr. Sita Ram Barwaria, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. On 10.01.2024, the following order was passed:-

“On 13.09.2023, the following order was passed in this case:-

‘The petitioner herein seeks the relief of anticipatory bail in the criminal case arisen out of the FIR bearing No.40 dated 29.04.2022 registered at Police Station Rangar Nangal, District Batala, under Sections 363 & 366 IPC and Section 4 of the POCSO Act, 2012 (wherein the offence under Section 376 IPC is stated to have been added later-on).

Learned counsel for the petitioner, inter-alia, contend that the petitioner has been got falsely roped in as accused in the subject FIR whereas the prosecutrix/victim herself had accompanied him out of her own sweet will and while recording her statement under Section 164 Cr.P.C, she had made depositions to the said effect.

Notice of motion.

Mr. Iqbal Singh Mann, learned Deputy Advocate General, Punjab, has appeared in this case in pursuance of the copy of the present petition having been sent to the respondent-State in advance, accepts

the notice and he seeks some time to file a detailed Status-Report in the instant matter.

Adjourned to 09.10.2023.”

In pursuant to the above-said order, a short reply by way of affidavit of Deputy Superintendent of Police, Sub Division Sri Hargobindpur, Police District Batala had been filed.

Learned counsel for the petitioner while reiterating his submissions made on 13.09.2023 submits that the petitioner and the prosecutrix have now married; they are living happily together and the petitioner is willing to join investigation and cooperate therein.

Adjourned to 23.01.2024.

The petitioner is directed to appear before the Investigating Officer on 15.01.2023 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.

To be shown in the urgent cause list.”

2. Learned State counsel on instructions from ASI Gurnam Singh has stated that pursuant to the order dated 10.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 10.01.2024 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

23.01.2024
P.Singh

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