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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-39872-2024 (O&M)

Date of Decision: 13.09.2024

VIKRAM RANA @ VIKRAM

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Omkar Chauhan, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been filed under Section 482 of BNSS seeking anticipatory bail to the petitioner in case bearing FIR No.328 dated 14.07.2024 under Sections 127(6) (Section 64/351(2) added later on) of BNS registered at Police Station Kurukshetra University, District Kurukshetra.

2. On 14.08.2024, following order was passed:

"The present petition has been filed under Section 482 of BNSS seeking anticipatory bail to the petitioner in case bearing FIR No.328 dated 14.07.2024 under Sections 127(6) (Section 64/351(2) added later on) of BNS registered at Police Station Kurukshetra University, District Kurukshetra.

Learned counsel for the petitioner inter alia contends that the victim/prosecutrix is a married lady having one son and a daughter and the FIR (supra) was registered by her husband when she was found missing along with her daughter from her home and her statement was recorded under Section 183 of BNSS by the jurisdictional police authorities. In her earlier statement, she has stated that she went on her own free will, however, after 15 days she has made a second statement and stated that she was drugged and perusal of the record especially Annexures P-2 & P-3 clearly



indicates that the petitioner and the prosecutrix were in a consensual relationship.

Notice of motion.

On the asking of the Court, Ms. Geeta Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

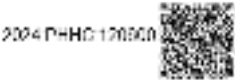
*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 438 (2) Cr.P.C.*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 13.09.2024.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

3. Learned State counsel on instructions from ASI Parveen Kumari, submits that in compliance of order dated 14.08.2024 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.



4. Keeping in view the statement made by learned State Counsel the
order dated 14.08.2024, is made absolute. The petitioner shall abide by the terms
and conditions enumerated in Section 438(2) of Cr.P.C.
5. The petition is accordingly allowed.

13.09.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No