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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41610-2024

Date of decision: 30.09.2024

Jaskaran Singh alias Sangat

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Tushar Tanwar, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.67 dated 07.06.2024 under Sections 363/366-A of IPC registered at Police Station Bareta (Annexure P-1).

On 28.08.2024, the following order was passed:-

'The instant petition is preferred under Section 482 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR No.67 dated 07.06.2024 under Sections 363 & 366-A of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Bareta, District Mansa.

Learned counsel for the petitioner, inter alia, contends that there is a delay of 15 days in registration of FIR (supra). The date of birth of daughter of the complainant is 27.06.2006 and she is major now. The jurisdictional police authorities have produced the victim before the concerned jurisdictional Magistrate and her statement under Section 164 Cr.P.C. was recorded, in which she clearly stated that she left her house of her own and no accusation has been levelled against the petitioner.

Notice of motion for 30.09.2024.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273**, **Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427**, **Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51**, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375** and **Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, the petitioner is directed to*



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appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioner shall co-operate in the investigation.

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

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and the trial Court shall decide the same on its own merits, strictly in accordance with law. '

Learned State counsel on instructions from SI Darshan Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 28.08.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

30.09.2024

Neha

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