



Sr. No.214

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

CRM-M-43154-2024
Date of decision: 24th September 2024

NASEEM AHMEDPetitioner

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gurbhagat Singh Gill, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Ms. Narender Kaur, Advocate for
Mr. Tejinder Pal Singh, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the petitioner in case FIR No.107 dated 14.05.2024, under Sections 376, 506 IPC, 1860, registered at Police Station Balongi, District SAS Nagar (Annexure P-1).
2. On 03.09.2024, the petitioner was directed to join investigation and order of granting interim bail to the petitioner was passed.
3. Learned counsel for the petitioner contends that the petitioner has joined investigation in compliance of the aforesaid order dated 03.09.2024.
4. Learned State counsel has filed status report dated 24.09.2024, by way of an affidavit of Sh. Karan Singh Sandhu, PPS, Deputy Superintendent of Police, Sub-Division Kharar-1, District SAS Nagar, on behalf of respondent-State of Punjab, which is taken on record.



5. Learned State counsel confirms that the prosecutrix has not supported the prosecution version in her statement recorded under Section 164 Cr.P.C. on 11.07.2024. It has been further confirmed that the petitioner has joined investigation on 20.09.2024 but he did not cooperate with the Investigating Agency.
6. Learned counsel for respondent No.2 confirms that there is no dispute *inter se* the petitioner and the prosecutrix.
7. Keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency and in view of the reasons recorded in the order dated 03.09.2024, the present petition is allowed and the order dated 03.09.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.
8. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
9. Liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.
10. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

24th September 2024
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*