



prosecutrix is still compelling the petitioner to talk to her and lead her.

Notice of motion.

On the asking of the Court, Mr. Rishabh Singla, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

Mr. Prabhjot Singh, Advocate puts in appearance on behalf of respondent No.2 and files his power of attorney which is taken on record. He vehemently opposes the prayer made by learned counsel for the petitioner on the ground that the prosecutrix was earlier in a consensual relationship with the petitioner, however, he cannot sexually exploit the prosecutrix against her consent and there are serious and specific allegations against the petitioner.

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 16.10.2024.

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 Hardyal Singh, submits that in compliance of order dated 09.09.2024 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 09.09.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482 (2) B.N.S.S.
5. The petition is accordingly disposed of.
6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

October 16, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No