



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

213

CRM-M-45487 of 2024

DATE OF DECISION :- 23.10.2024

Arun

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Aditya Jain, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

SUMEET GOEL, J. (Oral)

Office note indicates that respondent No. 2 has been served.

However, none has caused appearance on her behalf.

1. This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 236 dated 01.07.2024 registered for offences punishable under Sections 328,376(2)(n),506 IPC at Police Station Tehsil Camp Panipat, District Panipat.

2. On 12.09.2024, the following order was passed:-

“At the outset, learned counsel for the petitioner states that due to inadvertence the complainant could not be impleaded as a party-respondent. On his request, the complainant-respondent is directed to be impleaded as party-respondent No. 2. The details of the complainant-respondent No. 2 are as under :-

“Himanshi D/o Vinod Kumar, resident of Parshuram Colony, Panipat, Tehsil Camp Panipat, Panipat, Haryana.”

The Registry is directed to carry out requisite correction in the memo of parties.



Apprehending his arrest in FIR No. 236 dated 01.07.2024 registered for offences punishable under Sections 328,376(2)(n),506 IPC at Police Station Tehsil Camp Panipat, District Panipat; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that there was consensual relationship between the petitioner and the victim for a period of about two years which turned sour later on due to supervening circumstances; the said consensual relationship is clear from the Whatsapp chat (copy whereof has been appended as Anenxure P-2) as also photographs of the petitioner and the victim (copy whereof has been appended as Annexure P-3); no recovery is to be made from the petitioner & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana appears and accepts notice on behalf of the respondent-State.

Adjourned to 23.10.2024.

The petitioner is directed to appear before the Investigating Officer on 17.09.2024 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 482(2) of BNSS, 2023.

3. Learned State counsel, on instructions from ASI Mahender Singh, has stated that pursuant to the order dated 12.09.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition stands allowed and the interim order dated 12.09.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.



5. 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.
6. 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 482(2) of BNSS, 2023 or upon showing any other sufficient cause.
7. 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

23.10.2024
P.Singh

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