

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

**CRM-M-50059 of 2023
DATE OF DECISION :- 15.01.2024**

Ranjeet Mazumdar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Vaibhav Parashar, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

SUMEET GOEL, J. (Oral)

1. On 20.10.2023, the following order was passed:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.318 dated 10.08.2023 under Section 376(2)(N) of the Indian Penal Code, 1860 registered at Police Station Kheriki Dhaula, District Gurugram, Haryana (Annexure P-1).

Learned counsel for the petitioner would contend that the petitioner and the complainant had known each other since 2014. The incidents alleged are from 30.12.2022 right upto April 2023. The allegations in the present case are that the petitioner had forcibly developed physical relations with the complainant on the pretext of marriage. Learned counsel would further contend that the parties have now solemnized their marriage on 11.09.2023.

Notice of motion.

On the asking of the Court, Ms. Mahima Yashpal, DAG Haryana accepts notice on behalf of the State. Learned State counsel on instructions from ASI Manju has stated that the complainant has given a letter that she does not want to pursue the present FIR as the parties have solemnized their marriage.

List on 15.01.2024.

Meanwhile, the petitioner is directed to join investigation as and

when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

2. Learned State counsel on instructions from ASI Ms. Manju has stated that pursuant to the order dated 20.10.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the interim order dated 20.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. 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.
5. 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 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
6. 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

15.01.2024

P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No