



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-48188-2024 (O&M)

Date of decision: 28.10.2024

RAMAN KUMAR @ TITU

..PETITIONER

Versus

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kartik Khicher, Advocate
for the petitioner(through video-conferencing).

Ms. Geeta Sharma, AAG, Haryana.

HARPREET SINGH BRAR, J (ORAL)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.314 dated 01.09.2024 under Sections 115/190/191(2)/324(4)/333/351(2)/74/76 of BNS registered at Police Station Hansi Sadar, Hansi (Annexure P-1).

On 25.09.2024, the following order was passed:-

'The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.314 dated 01.09.2024 under Sections 115/190/191(2)/324(4)/333/351(2)/37/76 of BNS registered at Police Station Hansi Sadar, Hansi (Annexure P-1).

Learned counsel for the petitioner inter alia contends that no specific allegation has been levelled against the petitioner and there is delay of two days in the registration of the FIR (supra). He further submits that the allegation of outraging the modesty has been disbelieved by the learned Additional Sessions Judge, Hisar, yet the anticipatory bail of the petitioner has been dismissed. Moreover, the maximum sentence under which the FIR was lodged is punishable upto 07 years and no notice under Section 35 of BNS has been served upon the petitioner. The petitioner and the complainant are related to each other and there was civil litigation pending



between them and civil suit filed by the complainant was decided in favour of the petitioner.

Notice of motion.

On the asking of the Court, Ms. Geeta Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

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 28.10.2024.

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. '

Learned State counsel on instructions from HC Babita Rani, at the very outset informs the Court that the petitioner has joined the investigation, however, he is not disclosing the names of the other accused which are clearly seen in the video recording.

Learned counsel for the petitioner submits that the petitioner has joined the investigation and he has disclosed all the information and maximum sentence provided under which the FIR was lodged is upto 07 years. The case of the petitioner is squarely covered by the judgment of the Hon'ble Supreme Court in '**Satender Kumar Antil Vs. CBI**' (2022) **10 SCC 51**.



In view of the statement of learned State counsel, order dated 25.09.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482 (2) of BNSS.

The petitioner is again directed to join the investigation on 07.11.2024 at 11.00 AM before the Investigating Officer.

The petition stands disposed of.

28.10.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No