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

216 **CRM-M-49122 of 2024**
DATE OF DECISION :- 26.11.2024

Subhash **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Sanchit Punia, Advocate for the petitioner.

Ms. Ankita Ahuja, AAG, Haryana.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.151 dated 30.5.2024, registered for offences punishable under Sections 323/354-A(1)(i), 451 and 376 (2) (f) of IPC at Police Station Bhuna, District Fatehabad.

2. On 21.10.2024, the following order was passed:-

“Apprehending his arrest in FIR No.151 dated 30.5.2024, registered for offences punishable under Sections 323/354-A(1)(i), 451 and 376 (2)(f) of IPC at Police Station Bhuna, District Fatehabad; the petitioner has preferred this petition under Section 438 Cr.P.C./482 of BNSS, 2023, seeking pre-arrest bail.
Status report by way of affidavit of Jagdish Kumar, HPS, Deputy Superintendent of Police, Fatehabad, has been filed in Court today.
The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner.



Inter alia contends that the petitioner was earlier granted the police bail in respect of offences under sections 323/354-A(1)(i), and Section 451 of the IPC whereinafter the petitioner has never ever misused the concession, the occasion for seeking anticipatory bail arose since the police has invoked Section 376 (2)(f) of the IPC as well, no recovery is to be effected from the petitioner, the petitioner is willing to join investigation and cooperate therein in accordance with law.

Adjourned to 26.11.2024.

The petitioner is directed to appear before the Investigating Officer on 24.10.2024 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 Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel, on instructions from ASI Kanta, has stated that pursuant to the order dated 21.10.2024, 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 21.10.2024 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



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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

26.11.2024
P.Singh

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