



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

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**CRM-M No.50107 of 2024
Date of decision : 16.10.2024**

Baljit Singh alias Baljit Singh Fauji**Petitioner**

Versus

State of Punjab and another**Respondents**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ankit Kharbanda, Advocate, for the petitioner
(Through VC)

Mr. Anup Singh, AAG, Punjab

None for the complainant

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the petitioner in case FIR No.58 dated 2.4.2024, under Section 376 of IPC, registered at Police Station City Tarn Taran, District Tarn Taran.

2. On 4.10.2024, the following order was passed:

'Learned counsel for the petitioner submits that the complainant could not be arrayed as a party-respondent due to inadvertence. On his oral request, the following person is directed to be impleaded as a party-respondent No. 2 in this case.

"Anudeep Kaur daughter of Dilbag Singh, resident of Village Kazi Kot, District Tarn Taran at present residing at Paradise Colony, Khapatgarh, behind Chheharta, District Amritsar, Punjab."



The Registry is directed to make necessary corrections in the memo of parties.

Apprehending his arrest in FIR No. 0058 dated 02.04.2024 registered for offences punishable under Section 376 of IPC at Police Station City Tarn Taran, District Tarn Taran; the petitioner has preferred this petition under Section 482 read with Section 528 of BNSS seeking pre-arrest bail. Inter alia contends that there was consensual friendship/relationship between the petitioner and the victim which turned sour later on due to some misunderstanding, the said misunderstanding has now been resolved and a compromise deed dated 22.5.2024 (copy whereof has been appended as Annexure P-3 with the instant petition), petitioner and the complainant have married each other on 20.05.2024, 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, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. Lovish Rattan, Advocate has filed vakalatnama for the newly added respondent. The same be taken on record.

Adjourned to 16.10.2024.

The petitioner is directed to appear before the Investigating Officer on 07.10.2024 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 BNSS, 2023.'

3. Learned State counsel (on instructions from SI Naresh Kumar) submits that pursuant to the orders dated 4.10.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of the above, the interim order dated 4.10.2024, passed by this Court is made absolute, subject to the conditions as enumerated

under Section 482(2) of BNSS



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 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

16.10.2024
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No