

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

**CRM-M-58101 of 2023  
DATE OF DECISION :- 02.02.2024**

**Amrik Singh** **...Petitioner**

**Versus**

**State of Punjab** **...Respondent**

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

**Present:-** Mr. J.S. Thakur, Advocate for the petitioners.

Mr. Adhiraj Singh, AAG, Punjab.

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**SUMEET GOEL, J. (Oral)**

1. On 04.01.2024, the following order was passed:-

*“Apprehending his arrest in FIR No. 217 dated 30.12.2012 registered for offences punishable under Sections 364/365/120-B IPC and offences under Sections 376, 366 IPC (added during the pendency of the trial) at Police Station Maqsudan, District Jalandhar; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.*

*Inter alia contends that initially the FIR was registered in the year 2012 under Sections 365/120-B IPC wherein the petitioner was granted regular bail on 16.07.2021; the petitioner has been appearing regularly before the learned trial Court in accordance with law and facing trial; the charge under Section 376 IPC was added vide an order dated 04.03.2023 passed on an application filed under Section 216 Cr.P.C; the petitioner had also been granted permission to travel abroad vide order dated 10.11.2021 (Annexure P-6) which was never misused by him & the petitioner is willing to join trial proceedings and cooperate therein.*

*Notice of motion.*

*On asking of the Court, Mr. Shubham Kaushik, AAG, Punjab appears and accepts notice on behalf of the respondent-State.*

*Adjourned to 01.02.2024.*

*The petitioner is directed to appear before the trial Court on or before 11.01.2024 upon which trial Court shall admit him to interim bail to its satisfaction. He shall continue to appear regularly before the trial Court in accordance with law. He shall also abide by the conditions(s) enumerated under Section 438(2) Cr.P.C.”*

2. Learned counsel for the petitioner; while relying upon the order dated 11.01.2024 passed by learned Additional Sessions Judge, Jalandhar; has submitted that the petitioner has duly appeared before the said Court and was admitted to interim bail in terms of the above said order dated 04.01.2024 passed by this Court. It is further submitted by learned counsel for the petitioner that petitioner shall continue to appear in the trial proceedings and cooperate therein in accordance with law.

3. Learned State counsel on instructions from ASI Rajinder Singh has stated that pursuant to the order dated 04.01.2024, the petitioner has appeared before the trial Court and has been admitted to interim bail.

4. In view of above, the interim order dated 04.01.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

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 438(2) Cr.P.C., 1973 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.

02.02.2024

P.Singh

(SUMEET GOEL)

JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |