



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

223

CRM-M-57227 of 2024

DATE OF DECISION :- 11.12.2024

Khushwinder Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Jagpal Singh, Advocate
for Mr. Gurdarshan S. Sidhu, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Deepak Kohli, Advocate for respondent No. 2.

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. 247 dated 11.08.2024 registered for offences punishable under Sections 137, 3(5), 96 of BNS, 2023 (Sections 64(2)(M), 70(2) of BNS and Section 6 of POCSO Act added lateron) at Police Station Kalanwali, District Dabwali (Sirsa).

2. On 18.11.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 247 dated 11.08.2024 registered for offences punishable under Sections 137, 3(5), 96 of BNS, 2023 (Sections 64(2)(M), 70(2) of BNS and Section 6 of POCSO Act added lateron) at Police Station Kalanwali, District Dabwali (Sirsa); the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.



Inter alia contends that no inculpatory allegation was made against the petitioner (herein) in the statement made by the victim under Section 164 of Cr.P.C dated 03.09.2024 as also in the counselling report dated 04.09.2024 but later on due to familial pressure the victim has named the petitioner while giving history to the doctor in her MLR & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana appears and accepts notice on behalf of the respondent-State.

Mr. Deepak Kohli, Advocate has filed vakalatnama for respondent No. 2. The same be taken on record.

Adjourned to 11.12.2024.

The petitioner is directed to appear before the Investigating Officer on 21.11.2024 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 ASI Raj Kaur, has stated that pursuant to the order dated 18.11.2024, 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 18.11.2024 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



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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, 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

11.12.2024
P.Singh

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