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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65521-2023 (O&M)

Date of Decision: 01.02.2024

MANPREET SINGH

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Arshit Goel, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Raman Mohinder Sharma, Advocate
for the complainant.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.093 dated 23.11.2023, under Sections 406 and 498-A IPC registered at Police Station Women, District Patiala.

2. On 01.01.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 093 dated 23.11.2023 registered for offences punishable under Sections 406 & 498-A IPC at Police Station Women, District Patiala; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that case of the petitioner is squarely covered by the dicta of the Hon'ble Supreme Court in case of Md. Asfak Alam vs. The State of Jharkhand & Anr., 2023 AIR (Supreme Court) 3610. The petitioner is willing to join investigation and cooperate.

Notice of motion.

On asking of the Court, Mr. Kirat Singh Sidhu, DAG Punjab appears and accepts notice on behalf of the respondent-State.

At this stage, Mr. Raman Mohinder Sharma, Advocate has put in appearance on behalf of the complainant and has filed his Vakalatnama, which is taken on record.

Adjourned to 01.02.2024.

The petitioner is directed to appear before the Investigating Officer on 05.01.2024 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 438(2) of the Cr.P.C.”

3. Learned State counsel, on instructions from ASI Mander Singh, has stated that pursuant to the order dated 01.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has opposed the grant of anticipatory bail on the ground that the allegations made against the petitioner are very serious & hence he does not deserve the concession of pre arrest bail.

5. In view of above, the interim order dated 01.01.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. This order should not be treated as “blanket” order. It will not be interpreted as 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.

7. 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.

8. Needless to say that anything observed herein above shall not

9. Pending application(s), if any, shall also stand disposed off.

01.02.2024

Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No