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

CRM-M-30155-2023
Date of decision : 22.11.2023

GURMEET SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Sant Kashyap, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Aditya Dassaur, Advocate
for the complainant

PANKAJ JAIN, J. (ORAL)

While issuing notice of motion on 09.06.2023, the following
order was passed :-

“At the outset, learned counsel for the petitioner on instructions from petitioner volunteers to deposit a sum of Rs.2.5 lakhs within a period of two weeks from today so as to show his bonafides, the transaction in question being commercial one.

Notice of motion.

Mr. Tarun Aggarwal, Sr. DAG, Punjab accepts notice on behalf of the respondent-State, whereas, Mr. Aditya Dassaur, Advocate accepts notice on behalf of the complainant. List on 11.09.2023. In the meantime, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail to the satisfaction of the Arresting/Investigating Officer. The petitioner

shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. The amount of Rs.2.5 lakhs as volunteered by the petitioner shall be deposited with the Investigating Agency within a period of two weeks from today and the same be disbursed to the complainant after verification.”

2. Counsel representing the complainant admits that in compliance of the aforesaid order petitioner has paid an amount of Rs.2.5 lacs to the complainant.
3. Ld. State Counsel on instructions from ASI Harcharan Singh submits that the petitioner has already joined investigation and is no more required for custodial interrogation.
4. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 09.06.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
5. This order should not be treated as "blanket" order. It will not be read granting the 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. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.
7. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion

arises.

8. It will be open to the police or the investigating agency to move this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
9. Petition stands disposed off accordingly.

November 22, 2023	(Pankaj Jain)
Dpr	Judge
Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No