

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

CRM-M No.30867 of 2023

Date of Decision: 25.09.2023

Sitender

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Tejpal Singh Dhull, Advocate
for the petitioner.

Mr. Gaurav Bansal, D.A.G., Haryana.

PANKAJ JAIN, J. (ORAL)

1. While issuing notice of motion on 19.06.2023 the following order was passed:-

“Apprehending his arrest in FIR No.41 dated 16.02.2023, registered under Sections 120-B, 419, 420, 467, 468 & 471 of the IPC at Police Station Sadar Jhajjar, District Jhajjar, petitioner seeks pre-arrest bail.

Learned counsel for the petitioner relies upon order dated 15.06.2023 (Annexure P-3) passed in CRM-M-30584-2023, whereby coaccused in the present FIR has been extended interim relief.

Notice of motion 25.09.2023.

On the asking of the Court, Mr. H.S. Middha, Addl. A.G., Haryana, appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C..”

2. Today, Mr. Gaurav Bansal, D.A.G., Haryana, on instructions

from Rajesh Kumar ASI has stated that pursuant to the order dated

19.06.2023 the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 19.06.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

4. 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.

5. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.

6. 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.

7. Petition stands disposed off.

8. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

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

**(PANKAJ JAIN)
JUDGE**

25.09.2023

Deepak Patwal

Whether speaking/reasoned:
Whether reportable:

Yes/No