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

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CRM-M-34407-2023

Date of decision : 23.11.2023

Jagtar Singh @ Monty Singh**..... Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Ms. Gagandeep Kaur, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. On 01.08.2023, following order was passed:-

“Apprehending his arrest in FIR No.186 dated 10.09.2022, registered under Sections 307/341/323/506/34 IPC at Police Station Sadar Dhuri, District Sangrur, petitioner seeks pre-arrest bail.

Learned counsel for the petitioner *inter alia* submits that the injury attributed to the petitioner is of having hit the victim with iron rod on legs and thus Section 307 IPC would not be made out.

Learned State counsel submits that the Investigating Officer has not come present and prays for short accommodation.

Adjourned to **28.09.2023**.

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

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the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

2. Today, learned State counsel, on instructions from ASI Tarsem Singh, has stated that pursuant to the order dated 01.08.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 01.08.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

4. 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.

5. 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.

6. 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.

7. 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.

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

(PANKAJ JAIN)
JUDGE

23.11.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No