

**CRM-M-42785-2023 and
CRM-M-42805-2023**

1

2023:PHHC:145625

207-2 & 3

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

Date of decision : 16.11.2023

CRM-M-42785-2023

LAKSHYA VERMA

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CRM-M-42805-2023

RUBY KASHYAP

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. G.S. Ghuman, Advocate and
Mr. Atul Kumar, Advocate for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Rakesh Kumar, Advocate for the complainant.

PANKAJ JAIN, J. (ORAL)

On 29.08.2023, the following order was passed :-

“Apprehending their arrest in FIR No.173 dated 08.08.2023 registered for offence punishable under Sections 336, 506, 148, 149 IPC and Sections 25 & 27 of the Arms Act at Police Station Division No.8, District Jalandhar, Punjab, the petitioners) have preferred these petitions under Section 438 Cr.P.C. seeking pre-arrest bail.

Counsel for the petitioner(s) relies order dated 23.08.2023 passed in CRM-M No.41575 of 2023 granting interim protection to co-accused Pratham Verma.

Notice of motion.

On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG,
Punjab appears and accepts notice on behalf of the respondent/
State.

Adjourned to 16.11.2023.

Interim order in the same terms as in CRM-M No.41575
of 2023.

List along with CRM-M No.41575 of 2023.

A photocopy of this order be placed on file of connected
case.”

2. Today, Ld. State Counsel on instructions from ASI Gurdeep Singh submits that the petitioners have already joined investigation and are no more required for custodial interrogation.
3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 29.08.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
4. This order should not be treated as "blanket" order. It will not be read granting the petitioners 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 petitioners.
6. The petitioners 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 petitioners 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.
8. Petitions stand disposed off accordingly.
9. A copy of this order be kept on the file of other connected case.

November 16, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No