

2024:PHHC:049632

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202-2

CRM-M-6623-2024
Date of decision : 10.04.2024

Parmod Kumar Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Pratham Sethi, Advocate and
Mr. Kunal Sharma, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 20.02.2024, following order was passed:-

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.379 dated 02.05.2018, under Sections 420, 467, 468, 471 and 120-B of IPC, registered at Police Station City Sirsa, District Sirsa (Annexure P-1).

Learned State counsel has submitted that request has been received from the DSP, Head-quarter for grant of some time to file appropriate reply in compliance of the order dated 08.02.2024 and has prayed for two weeks time.

Learned Senior counsel for the petitioner submits that, in fact, two FIRs were lodged on the same date under the same provisions and were also filed together and the Coordinate Bench vide order dated 08.02.2024 in CRM-M-6604-2024 has granted the concession of anticipatory bail to the

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petitioner and he be protected in the same terms.

Considering the request by the learned State counsel and the order passed by the Coordinate Bench of this Court, the matter is adjourned to **10.04.2024.**

The petitioner is directed to join investigation on **28.02.2024** at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

However, it is made clear that this order shall not be construed as parity qua any other co-accused.

To be listed along with CRM-M-6604-2024.”

2. Today, learned State counsel, on instructions from ASI Abhay Ram, has stated that pursuant to the order dated 20.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 20.02.2024 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.

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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.
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

10.04.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No