

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CRM-M-8317-2024
Date of decision: 11.03.2024

RAJ KUMAR
V/s
....PETITIONER

STATE OF HARYANA AND ANOTHER
....RESPONDENTS

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Navdeep Singh, Advocate and
Mr. Randeep S. Dhull, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.252 dated 13.04.2023, registered for the offences punishable under Section 406 and 420 of IPC (Sections 506, 354(i)(ii), 354-D, 34 added later on) at Police Station City Hisar, District Hisar.
2. On 16.02.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 252 dated 13.04.2023 registered for offences punishable under Sections 406,420 (with Sections 506,354A(i)(ii), 354D, 34 added later on) IPC at Police Station City Hisar, District Hisar; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail. Inter alia contends that the genesis of the FIR in question is a money dispute between the complainant and co-accused Sudhir Kumar; allegations of stalking/harassment have been made to arm twist the petitioner (herein) for an amicable settlement & the petitioner is willing to join investigation and cooperate therein. Notice of motion. On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana appears and accepts notice on behalf of the respondent-State. Adjourned to 11.03.2024. The petitioner is directed to appear before the Investigating Officer on 21.02.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

3.

Learned State counsel, on instructions from SI Jai Singh, has stated that pursuant to the order dated 16.02.2024 the petitioner has joined investigation and is no longer required for custodial interrogation.
4.

In view of above, the present petition is allowed and interim order dated 16.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5.

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.
6.

Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7.

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

(SUMEET GOEL)

JUDGE

March 11, 2024

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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No