

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215/2

CRM-M-9022 of 2024
Date of decision:19.03.2024

Sahib Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Naveen Madan, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab

PANKAJ JAIN, J. (ORAL)

On 20.02.2024, the following order was passed :-

“Apprehending his arrest in cross-case vide report No.31 dated 12.08.2023 in case FIR No.99 dated 30.07.2023 registered for offences punishable under Sections 323/324/327/148/149 of the Indian Penal Code, 1860 (Section 326 of IPC added later on) at Police Station Raja Sansi, District Amritsar Rural, Punjab the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Ld. Counsel for the petitioner inter alia relies upon order dated 16.01.2024 passed in CRM-M-2222-2024 whereby co-accused have been granted interim protection by this Court.

Issue notice of motion, returnable for 19.03.2024.

To be heard along with CRM-M-2222-2024.

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

Interim in the same terms as in CRM-M-2222-2024 ”

2. Today, Ld. State Counsel on instructions from the police official who is present in Court submits that the petitioner has already joined investigation and is no more required for custodial interrogation.
3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 20.02.2024 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 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 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. Petition stands disposed off accordingly.
9. Pending applications, if any, also stand disposed of.

March 19, 2024

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(PANKAJ JAIN)
JUDGE

Whether speaking

Whether reportable

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Yes

No