



CRM-M-10092-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-10092-2024
Date of Decision : July 02, 2024

SURJEET SINGH @ GAURAV -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Prateek Sharma, Advocate for
Mr. Vinay Yadav, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. On 26.02.2024, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.728, dated 27.12.2023 (Annexure P-1), under Section 379 IPC, registered at Police Station City Tohana, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner has been nominated as an accused on the basis of disclosure statement of other co-accused namely Resham Singh, Kala Singh and Ramesh Kumar, from whom the recovery has been effected. It is also asserted on behalf of the petitioner that there is a delay of one day in registration of FIR, which can be fatal to the prosecution case.

Notice of motion.

On the asking of the Court, Mr. Gurbir Singh Dhillon, AAG, Haryana accepts notice on behalf of the respondent-State and seeks time to get necessary instructions.

Considering the fact that nothing is to be recovered from the



possession of the petitioner, as is evident on a perusal of the FIR and custodial interrogation in such eventuality is not required at this stage, the petitioner is directed to be released on interim bail subject to his joining investigation and reporting to the Investigating Officer concerned within one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

Adjourned to 06.05.2024.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 26.02.2024, as made by a Co-ordinate Bench of this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner shall not commit an offence similar to the present offence;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner shall make himself/herself available for interrogation by a police officer as and when required.”

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

July 02, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No