

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11268-2024
Date of decision : 01.05.2024
....Petitioner

PRITAM SINGH @ CHEEMA

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. S.P.S. Khaira, Advocate for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mr. Kuldeep Singh, Advocate for respondent No.2.

PANKAJ JAIN, J. (ORAL)

On 04.03.2024, the following order was passed :-

“*Inter alia* submits that its a case of alleged wrong disbursal of the compensation which has been released against the bond. Further submits that in case the disbursal authorities i.e. NHAI suffers any loss, the same shall be reimbursed by the petitioner.

Notice of motion

On the asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of respondent No.1. Mr. Kuldeep Singh, Advocate accepts notice on behalf of respondent No.2.

Adjourned to 01.05.2024.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

- 2. Today, Ld. State Counsel on instructions from HC Ashok 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 04.03.2024 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.

May 01, 2024		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No