

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

204 (2)

CRM-M-10976-2020 (O&M)

Date of decision:30.01.2024

Sanjeev Kumar @ Sunny

...Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: None for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

Mr. C.S. Rana, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) for grant of anticipatory bail to the petitioner in case FIR No.04 dated 08.01.2020, under Sections 323, 380, 325, 354, 506, 148 & 149 IPC registered at Police Station Division No.3, District Ludhiana.

On 16.03.2020, the following order was passed:-

*“Learned counsel for the petitioner relies upon the order dated 25.02.2020 passed by this Court in **CRM-M-6139 of 2020** titled as **Usha Kumari and another Versus state of Punjab**.*

Notice of motion for 20.05.2020.

Till next date of hearing, arrest of the petitioner shall remain stayed.

Be listed along with CRM-M-6139 of 2020.

At this stage, Mr. Chandan Singh Rana, Advocate has put in appearance and filed power of attorney on behalf of the complainant, which is taken on record.”

Thereafter on 06.01.2023, the following order was passed:-

“Mr. Harleen Singh, Advocate has filed Vakalatnama on behalf of the petitioners, which is taken on record. He seeks time to advance arguments.

The learned State counsel also seeks time to file status report.

Adjourned to 27.01.2023.

Interim order to continue subject to the joining of investigation.

A photocopy of the order be placed on the file of other connected case.”

2. Learned State counsel, on instructions from ASI Gandoor Singh, has stated that pursuant to the order dated 16.03.2020 & 06.01.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of the above, the interim order dated 25.02.2023 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.

5. 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.

6. 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

January 30, 2024
Ajay

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