



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-18510-2024
Date of decision : 15.05.2024

Mangal Singh @ Manga Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 18.04.2024, following
order was passed:-

“Apprehending his arrest in FIR No.0260
dated 04.09.2023, registered for offences
punishable under Sections 482, 506, 509 of IPC,
1860 and Sections 22, 25 and 29 of NDPS Act,
1985 at Police Station Tanda, District Hoshairpur,
the petitioner has preferred this petition under
Section 438 Cr.P.C. seeking pre-arrest bail.

Counsel for the petitioner relies upon order
dated 12.03.2024 passed in CRM-M-4222-2024.

Notice of motion for **15.05.2024**.

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

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

2024:PHHC:069431



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, learned State counsel, on instructions from Investigating Officer, has stated that pursuant to the order dated 18.04.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 18.04.2024 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. 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, 1872 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

2024:PHHC:069431



inducement to witnesses with a view to influence outcome of the investigation or trial.

- 8. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.
- 9. Disposed off accordingly.

(PANKAJ JAIN)
JUDGE

15.05.2024
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Whether speaking/reasoned :	Yes
Whether Reportable :	No