

**CRM-M-18702 of 2024****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****208****CRM-M-18702 of 2024****DATE OF DECISION :- 14.05.2024****Vishal Kumar****...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:-** Mr. Rajiv Joshi, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 228 dated 16.07.2020, registered for offences under Sections 354,458,509,427,323,148,149 of the IPC and Section 67 of the IT Act, 2000, and the offence under Section 376-D,365,506 of IPC and Sections 25,27,54,59 of the Arms Act added later on at Police Station Phillaur, Jalandhar.

2. On 18.04.2024, the following order was passed:-

“Inter alia contends that the petitioner was extended the concession of bail vide order dated 31.05.2021 by the Sessions Court whereinafter the petitioner has been regularly appearing before the trial Court in accordance with law; the petitioner could not appear before the concerned trial Court on 07.02.2024 as the petitioner who is a truck driver by profession was struck in a traffic jam on account of the farmer’s agitation & the petitioner is willing to appear before the concerned trial Court on the next date of hearing which is stated to be 05.05.2024 as also appear further as and when the trial is fixed. Notice of motion.

At the asking of the Court, Mr. Adhiraj Singh, AAG, Punjab accepts notice for respondent No. 1-State of Punjab.

In case the petitioner appears before the concerned trial Court on or before 05.05.2024, he shall be admitted to interim bail subject to the



satisfaction of the said Court as also upon conditions imposed by the said Court.

Adjourned to 14.05.2024.”

3. Learned counsel for the petitioner has submitted that the petitioner has duly entered appearance before the concerned trial Court in terms of the order dated 18.04.2024 & he shall continue to appear further in accordance with law.
4. Keeping in view the totality of the facts and circumstances of the case, the present petition stands allowed and 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 and the impugned order dated 07.02.2024 (in so far as it pertains to ordering for issuance of non-bailable warrants against the petitioner) is quashed.
5. 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.
6. 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.
7. 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

14.05.2024
P.Singh

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