

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211-2

CRM-M-18895-2024
Date of decision : 23.05.2024

Harwinder Singh @ Tinu Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. I.S. Kooner, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

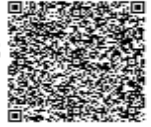
1. While issuing notice of motion on 19.04.2024, following order was passed:-

“Apprehending his arrest in FIR No.345 dated 08.11.2023, registered for offences punishable under Sections 307, 326, 325, 324, 506, 148 and 149 of IPC at Police Station Sadar Mansa, District Mansa, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Learned counsel for the petitioner *inter alia* relies upon the order dated 19.03.2024 passed in CRM-M No.14185 of 2024 to claim parity. He further submits that like Sandeep Singh @ Seepa though the petitioner has been named in the FIR, but there is no specific attribution to him.

Notice of motion.

On the asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts



notice on behalf of the respondent-State.

To come up along with **CRM-M No.14185 of 2024** on 23.05.2024, as prayed for.

Interim orders in the same terms.”

2. Today, learned State counsel, on instructions from ASI Sukhminder Singh, has stated that pursuant to the order dated 19.04.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

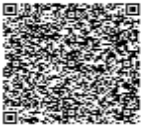
3. In view of above, the interim order dated 19.04.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

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



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

23.05.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No