

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214-2

CRM-M-19226-2024
Date of decision : 23.05.2024

Dilawar Singh @ Gora Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 20.04.2024, following order was passed:-

“Counsel for the petitioner relies upon order dated 10.04.2024 passed in CRM-M-17739-2024, whereby co-accused Pala Ram has been granted interim bail.

Notice of motion for **23.05.2024**.

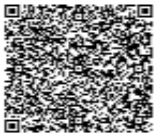
Mr. Gaurav Bansal, DAG, Haryana, appears and accepts notice on behalf of the respondent-State.

To be heard alongwith CRM-M-17739-2024.

Interim in the same terms as passed in CRM-M-17739-2024.”

2. Today, learned State counsel, on instructions from ASI Anil Kumar, has stated that pursuant to the order dated 20.04.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

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3. In view of above, the interim order dated 20.04.2024 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.

23.05.2024

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Whether speaking/reasoned :
Whether Reportable :

Yes
No

(PANKAJ JAIN)
JUDGE