

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23121 of 2023
DATE OF DECISION :- 07.02.2024

Mohit Sharma ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Preeti Singh, Advocate for the petitioner.
Ms. Mahima Yashpal, DAG, Haryana.

SUMEET GOEL, J. (Oral)

- On 08.05.2023, the following order was passed:-
“Prayer in the present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in the FIR in question. Notice of motion. Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of respondent-State and seeks time to file reply, if any. Adjourned to 09.08.2023. Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”
- Today, learned State counsel on instructions from SI Dharamali has stated that the DNA report is not against the petitioner and pursuant to the order dated 08.05.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 08.05.2023 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

07.02.2024
P.Singh

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