

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-22726-2024
Date of decision: 25.07.2024

RAJESH KUMAR
Versus
STATE OF PUNJAB
....Petitioner
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Manish Kumar Singla, Advocate with
Mr. Kuljinder Singh, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 07.05.2024, a Co-ordinate bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Learned counsel for the petitioner contends that petitioner is the Panchayat Secretary, who had only written the Resolution passed by the Gram Panchayat. Learned counsel also submits that co-accused Gurwinder Singh @ Baggar was allowed the benefit of anticipatory bail by this Court vide order dated 19.03.2024 passed in CRM-M-11671-2023 (Annexure P-1). Another co-accused Jagdev Singh was allowed the similar benefit by this Court vide order dated 19.03.2024 passed in CRM-M-12395-2023 (Annexure P-2).

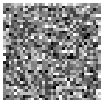
Notice of motion.

Mr. Jasdeep Singh Gill, Addl. AG, Punjab accepts notice on behalf of respondent- State whereas Mr. Gopal Singh Nahel, Advocate puts his appearance on behalf of complainant and filed his memo of appearance.

Learned counsel for the complainant submits that petitioner as a Panchayat Secretary had tampered with the Resolution earlier passed by the Gram Panchayat. He seeks time to file reply in this regard.

Adjourned to 25.07.2024 for filing status report by respondent- State and reply, if any by complainant.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating



Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

2. Today, the learned State counsel has, on instructions imparted to him by SI Beant Singh, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.
3. In view of the above, the hereinabove extracted interim order dated 07.05.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner shall not commit an offence similar to the present offence;
(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
(iii) the petitioner shall make himself available for interrogation by a police officer as and when required.”
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. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

25.07.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No