

2024:PHHC:012914

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

207 **CRM-M-25234-2023**
Date of Decision: 31.01.2024

Manoj KumarPetitioner

Versus

State of PunjabRespondent

CORAM: HON’BLE MR.JUSTICE SUMEET GOEL

Present:- Mr.Rishabh Gupta, Advocate,
for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.70 dated 30.05.2022, registered for the offences punishable under Sections 363, 366-A, 120-B of IPC and Section 346 of IPC added later on, at Police Station Subhanpaur, District Kapurthala
2. On 12.12.2023, the following order was passed:-

“Status report filed by the State in Court today is ordered to be taken on record. A copy thereof has been supplied to the learned counsel for the petitioner who prays for time to go through the same and then argue the matter.

Adjourned to 31.01.2024.

In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.70 dated 30.05.2022, registered under Sections 363, 366-A, 120-B IPC (Section 346 IPC added later on) at Police Station Subhanpur, District Kapurthala, he

shall be released on ad interim anticipatory bail to the satisfaction of the arresting officer.”

3. Learned State counsel, on instructions from ASI Rajinder Kumar, has stated that pursuant to the order dated 12.12.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the interim order dated 12.12.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

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

January 31, 2024
poonam

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No