



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

CRM-M-26604-2024

Date of Decision : 14.08.2024

SEHBAJ ALIAS SAJU ALIAS MOHD. SHAHBAAZ

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ravi Malhotra, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 27.05.2024, a co-ordinate bench of this Court had passed
the hereinafter extracted order, upon the instant petition:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.180 dated 2.7.2021 registered under Sections 307, 323, 324, 341, 506, 148, 149 IPC at Police Station Haibowal, District Ludhiana.

Counsel for the petitioner submits that the petitioner was not named in the FIR and was not aware about the pendency of any such has criminal case and the Court concerned has wrongly initiated proceedings under Section 82 of Cr.P.C. against the petitioner. It is further submitted that co-accused who faced trial are acquitted by the Court concerned vide judgment dated 5.12.2022 (Annexure P-3); that the petitioner who is having no criminal history, is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and has not disputed the fact that the petitioner was not named in the FIR and that co-accused, who faced trial, were acquitted vide judgment Annexure P-3 and that the petitioner is having no criminal antecedents.

Now be listed on 14.8.2024.

In the meantime, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C.”

2. Today, the learned State counsel has, on instructions imparted to him by ASI Harcharan, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 27.05.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself 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(s) 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.

August 14, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No