

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30362-2023 (O&M)

Date of Decision: 23.01.2024

SHAHNAWAZ

.. Petitioner

Vs.

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Inderjeet Singh, Advocate
for the petitioner (*through video conferencing*).

Ms. Priyanka Sadar, AAG, Haryana.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.245 dated 11.05.2013, under Sections 323, 406, 498-A and 506 read with Section 120-B IPC registered at Police Station City Yamuna Nagar, District Yamuna Nagar.
2. On 13.06.2023 , the following order was passed:-

“Contends inter alia that marriage has already dissolved between the parties and reference in this regard is made to P-5. Notice of motion.

On asking of the Court, Mr. Kiran Pal Singh, AAG, Haryana accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Posted for 31.07.2023

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

3.

Learned State counsel on instructions from SI Lakhwinder has stated that pursuant to the order dated 13.06.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
4.

In view of above, the interim order dated 13.06.2023 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 interpreted as 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.
8.

Pending application(s), if any, shall also stand disposed off.

23.01.2024

(SUMEET GOEL)

Jasmine Kaur

JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No