

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30851-2023
Date of decision : 24.04.2024

ANKUSHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rakesh Kumar, Advocate for
Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

On 19.06.2023, the following order was passed :-

“Prayer in the present petition is for the grant of anticipatory bail to the petitioner in case FIR No.70, dated 24.05.2023 registered under Sections 417, 419, 465, 466, 468, 471, 120-B IPC at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Notice of motion.

Mr. Mohit Kapoor, Additional A.G., Punjab accepts notice on behalf of the respondent-State.

List on 29.08.2023.

In the meantime, the petitioner is directed to join investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of the Arresting/Investigating Officer, subject to compliance of the provisions of Section 438 (2) Cr.P.C.”

- 2. Today, Ld. State Counsel on instructions from SI Raj Singh submits that the petitioner has already joined investigation and is no more required for custodial interrogation.
- 3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 19.06.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
- 4. This order should not be treated as "blanket" order. It will not be read granting the 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. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.
- 6. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.
- 7. It will be open to the police or the investigating agency to move this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
- 8. Petition stands disposed off accordingly.

April 24, 2024
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No