



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

CRM-M-30210-2024

Date of Decision : 02.12.2024

SAURABH TANEJA

.....Petitioner(s)

VERSUS

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Navneet Jindal, Advocate for
Mr. D.S.Virk, Advocate,
for the petitioner(s).

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. On 27.06.2024, a co-ordinate bench of this Court had passed
the hereinafter extracted order, upon the instant petition:-

“Apprehending his arrest in FIR No. 369 dated 03.06.2024 registered for offences punishable under Sections 21B/61/85 of the NDPS Act, 1985 at Police Station Rania, District Sirsa; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner has been implicated into the FIR in question on the basis of disclosure statement which is not likely to withstand judicial scrutiny; even as per allegations made in the FIR recovery of 60 gms of heroin is stated to have been recovered from the co-accused & the petitioner is willing to join investigation and cooperate therein.

Adjourned to 15.07.2024.

The petitioner is directed to appear before the Investigating Officer on 01.07.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall

join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that though in pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation, but he has not fully co-operated inasmuch as, not disclosing the name of person from whom he had purchased the contraband.

3. This Court has considered the submissions made by learned State counsel and is of the view that the petitioner cannot be made to suffer a self-incriminatory statement under the threat of confirming the interim anticipatory bail, granted to the present petitioner.

4. In view of the above, the hereinabove extracted interim order dated 27.06.2024, 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.”

5. 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.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

7. All pending application(s), if any, also stand **disposed** of accordingly.

December 02, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

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