



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-31407-2024

Date of Decision : August 28, 2024

RANDEEP

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Anshumaan Dalal , Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Reply dated 26.8.2024 by way of an affidavit of Amit Kumar, HPS, Deputy Superintendent of Police, CAW Rohtak has been filed, the same is taken on record.
2. On 04.07.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.218 dated 22.08.2023, under Sections 148, 149, 307, 160 of the IPC, and, Section 25 of the Arms Act (Sections 323, 325, 201 of the IPC and Section 27 of the Arms Act added subsequently), registered at P.S. Civil Lines, Rohtak, District Rohtak.



CRM-M-31407-2024

-2-

2. *The learned counsel for the petitioner submits that, neither the petitioner has been named in the FIR, nor any role whatsoever has been attributed therein to him. In fact, a quarrel had taken place between two rival groups, namely, Aman Dahiya Group and Vishesh @ Chhotu Group. There is no allegation that the petitioner had opened any firing, rather the only allegation levelled against the petitioner is that he was present at the time and place of occurrence along with his co-accused.*

3. *Lastly, the learned counsel for the petitioner submits that five of the petitioner's co-accused have already been enlarged on regular bail by the learned Additional Sessions Judge, Rohtak. Not only this, two of the petitioner's co-accused, namely, Vishesh and Lakshay have also been granted the concession of anticipatory bail respectively by this Court and by the learned Additional Sessions Judge, Rohtak.*

4. *Notice of motion for 28.08.2024.*

5. *Mr. Rajesh Gaur, Addl. A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.*

6. *In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C."*

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the



CRM-M-31407-2024

-3-

hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 04.07.2024, 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 28, 2024
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(KULDEEP TIWARI)
JUDGE

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