

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210-2

CRM-M-32172-2024

Date of Decision: 12.11.2024

Kapil Dev Sharma

...Petitioner

Versus

State Of Punjab And Another

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Inderjit Sharma, Advocate for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

Mr. Shiv Kumar Sharma, Advocate
for respondent No.2.

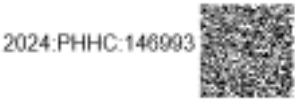
KIRTI SINGH, J. (Oral)

1. Apprehending his arrest the petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case bearing FIR No.98 dated 05.07.2023, under Sections 420, 120-B of the IPC and Section 24 of Emigration Act, 1983, registered at Police Station Dayalpura, District Bathinda.

2. Learned State counsel on instructions from ASI Paramjit Singh, Investigating Officer submits that in compliance of order dated 05.08.2024, the petitioner has joined the investigation and is not required for any further investigation.

3. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 05.08.2024 passed by this Court, is hereby made absolute.

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 accused/petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

7. The accused/petitioner shall not leave India without prior permission of the Court.

8. The accused/petitioner shall join the investigation as and when called by the police.

9. It will be open to the police or the investigating agency to move to 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.

12.11.2024
Anu

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No