



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-31938-2024

Date of Decision : September 04, 2024

KISHAN SINGH ALIAS KRISHAN SINGH
VERSUS

.....Petitioner

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Lovish Arora, Advocate for the petitioner.
Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 08.07.2024, 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 petitioners seeks the concession of anticipatory bail, in case FIR No.44 dated 15.04.2024, under Sections 379 and 411 (added subsequently) of the IPC, registered at P.S. Badhni Kalan, District Moga.

2. The learned counsel for the petitioner submits that, owing to party faction in the village, the petitioner has been falsely implicated in the present FIR. Moreover, the present FIR has been registered on the basis of an extrajudicial confession made by petitioner's co-accused. Lastly, he submits that the investigating agency is not seized of any cogent inculpatory evidence to connect the petitioner with the alleged theft.

3. Notice of motion for 04.09.2024.

4. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

5. 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



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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 ASI Chranjit Singh stated that pursuant to the making of the 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 08.07.2024, 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.

September 04, 2024
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(KULDEEP TIWARI)
JUDGE

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