

CRM-M-35279-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35279-2024

Date of decision : September 04, 2024

Kuldeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Ekpreet Kaur, Advocate, for
Mr. Amit Dhawan, Advocate, for the petitioner
Mr. Sahil R. Bakshi, AAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. On 25.7.2024, the Coordinate Bench had passed the hereinafter extracted order, upon the instant petition:-

“The petitioners seek grant of anticipatory bail in case bearing FIR No.34 dated 04.03.2023 registered under Section 384 IPC, 1860 at Police Station Shahkot, Jalandhar.

The learned counsels for the petitioners contend that co- accused of the petitioners namely, Gurpreet Singh alias Gopi and Gabbar Singh have been granted the concession of anticipatory bail by this Court.

Notice of motion for 04.09.2024.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab accepts notice on behalf of the respondent-State.

In the meantime, the petitioners are directed to appear



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before the SHO/Investigating Officer to join investigation and in the event of their arrest, they shall be released on bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

i) that the petitioners shall make themselves available for interrogation before the Investigating Officer as and when required;

ii) that the petitioners 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/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioners shall not leave the country, without prior permission of the Court and shall surrender their passport, if any.

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the petitioners along with the details of pending FIRs, if any, on or before the next date of hearing.

A photocopy of this order be placed on the files of other connected matters.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 25.7.2024, is hereby made absolute, subject to the hereinafter

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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