



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

**CRM-M-35224-2024
Date of Decision : 22.08.2024**

KARANJIT KAUR AND OTHERS

.....Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. L.S.Sidhu, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. R.S.Randhawa, Advocate,
for respondent no.2.

KULDEEP TIWARI, J.(Oral)

1. On 09.08.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“CRM-M-35224-2024

2. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioners seek the concession of anticipatory bail, in case FIR No.259 dated 19.12.2023, under Sections 177, 199, 200, 420, 120-B of the IPC, registered at P.S. Navi Baradari, District Police Commissionerate Jalandhar.

3. Consequent upon this Court issuing directions to the petitioners to disclose the modus, which they propose to ensure security of the awarded compensation concerned, an application No. CRM-32005-2024 has been filed before this Court, thereby placing on record the copy of an indemnity bond, wherein, the indemnifiers concerned have undertook to, in the event of any adverse order becoming passed against them, indemnify the complainant Arun Puri. The relevant extract of this indemnity bond, which is already taken on record as Annexure P-21, is reproduced hereunder:-

“...AND, WHEREAS in case any adverse order has been passed against the indemnifier by any court of law to indemnify Arun Puri at any stage, then the indemnifier will be liable to indemnify Arun Puri as per the order of that court/authority. NOW, THEREFORE, this Bond witnessed that in pursuant of this agreement and in consideration of the amount, the indemnifier undertakes to keep said Arun Puri indemnified against indemnifier, his remaining share of property/land to the extent approximately 21 Kanals, situated in Village Fatehpur, Hadbast No. 259, Tehsil Jalandhar-1, District Jalandhar as per Fard Jamabandi year 2020- 2021, comprised out of Khasra No. 10//6, 7, 14, 15, 17/1, 17/2, 24/2, 11//24/2, 25/1, 12//4, 5/1, 13//1, 2, 3/1, 3/2, 4, 7/1, 8/2, 10, 26, 10//26, 12//26. Moreover, the indemnifier has got no objection if this Indemnity Bond be made part of any judicial file at later stage.....”

4. Moreover, the petitioners have also placed on record a joint affidavit (Annexure P-22), thereby rendering an undertaking that they will not withdraw any amount from their bank accounts, as cited therein, during pendency of the present FIR.

5. In view of the above, the petitioners are directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

6. Moreover, the petitioners are also directed to, at the time of joining investigation, hand over the original indemnity bond and joint affidavit (*supra*) to the investigating officer concerned, who shall then keep the same in his/her safe custody.

7. List on 22.08.2024.”

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 petitioners have joined investigation and they have submitted the original indemnity bond (Annexure P-21), and joint affidavit (Annexure P-22), executed by them, with the investigating officer, and they are no longer required for custodial interrogation.

3. Learned counsel for respondent no.2 submits that though the petitioners have submitted the original indemnity bond (*supra*), and joint

affidavit (*supra*), however, the same may be directed to be made a record of judicial file by passing a direction upon the investigating officer.

4. The asked for request made by learned counsel for respondent no.2 being innocuous and *bona fide* is allowed, and the investigating officer concerned is directed to place on record the aforesaid indemnity bond and joint affidavit, on the judicial file of the learned trial court concerned, by moving an appropriate motion.

5. In view of the above, the hereinabove extracted interim order dated 09.08.2024, 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.”
- (iv) the petitioner(s) shall within 15 days from today, surrender their passport, if any, and shall also furnish their respective affidavit that they will not leave the jurisdiction of the country without the prior permission of the trial court concerned.

6. 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.

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

August 22, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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