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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : October 21, 2024

SADIKIN

-PETITIONER

V/S

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

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

KULDEEP TIWARI, J. (ORAL)

1. On 02.08.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), prayer is made for grant of 'anticipatory bail' to the petitioner in case FIR No.91, dated 19.06.2024, under Sections 3/13(1), 8/13(3) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Bichhor, District Nuh.

Learned counsel for the petitioner submits that the instant FIR has been registered merely on the basis of a secret information, and till date no inculpatory evidence is available with the prosecution to connect him with the alleged crime.

He further submits that though the petitioner was earlier involved in similar nature of offence, but merely because of his antecedents he cannot be made to suffer in the instant FIR.

Notice of motion.

Mr. Rajesh Gaur, Addl. A.G., Haryana, accepts notice on behalf of respondent-State, and waives service.



Adjourned to 21.10.2024.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so, and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel has filed a status report, on affidavit of Pardeep Khatri, HPS, Deputy Superintendent of Police, Punhana, which is taken on record. Moreover, on instructions imparted to him by the official concerned, the learned State counsel has stated that pursuant to the making of the hereinabove reproduced order, the petitioner had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove reproduced interim order dated 02.08.2024, as made by this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner shall not commit an offence similar to the present offence;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner shall make himself 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 indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident



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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.

October 21, 2024
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(KULDEEP TIWARI)
JUDGE

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