



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

CRM-M-38240-2024

Date of Decision : 04.12.2024

GURPREET

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Gaurav Kalsi, Advocate,
for the petitioner(s).

Ms. Majot Kaur, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 07.08.2024, a co-ordinate bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“This petition has been filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (438 Cr.P.C) for grant of anticipatory bail to the petitioner in FIR No. 288 dated 01.10.2022 under Section 379-B, 34, 411 IPC registered at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioner inter-alia submits that petitioner was not named in the FIR. As per version of the complainant, 4 persons had committed snatching. The petitioner was named on the basis of disclosure statement of co-accused namely Anmol alias Maula from whom Rs.700/- were recovered. The FIR was got registered after five months naming the petitioner.

Notice of motion.

Ms. Manjot Kaur, AAG, Punjab appears and accepts notice on behalf of the respondent-State. She seeks some time to file status report. A copy of the paper book be supplied to her during the course of the day.

Adjourned to 04.12.2024.

In the meantime, the petitioner is directed to join the investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety 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 petitioner shall make himself available for interrogation before the investigating officer as and when required:

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

facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.”

2. Today, learned State counsel, has also filed a status report, dated 03.12.2024, by way of an affidavit of Sh.Sarwan Singh, DSP, Sub-Division Phillaur, District Jalandhar (Rural), in court, which is ordered to be taken on record.

3. She further, on instructions imparted to her by the police 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.

4. In view of the above, the hereinabove extracted interim order dated 07.08.2024, 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.”

5. 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.

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

7. All pending application(s), if any, also stand **disposed** of accordingly.

December 04, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No