



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

CRM-M-41591-2024

Date of Decision :13.12.2024

PREMPAL

.....Petitioner(s)

VERSUS

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sudhir Rana, Advocate,
for the petitioner (through V.C.)

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. On 28.08.2024, a co-ordinate bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Instant petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in case FIR No.136 dated 21.06.2024 under Sections 148/149/323 /324/341/326/506 of IPC, 1860 (Section 326 of IPC was added later on) registered at Police Station Rampura, District Rewari.

Learned counsel for the petitioner inter alia submits that it is a case of version and cross-version. As per allegations, the petitioner and coaccused were not armed with sharp-edged weapon but later on Section 326 of IPC has been added in this case without any basis. It is further submitted that complainant party instead of getting themselves examined from Government Hospital, Rewari went to the Government Hospital, Khol where relative of the complainant party was posted as Medical Officer.

Notice of motion.

Mr. Karan Sharma, DAG, Haryana accepts notice on behalf of the State.

Mr. Ranvijay Singh, Advocate puts in appearance on behalf of the complainant and filed Memorandum of Appearance. He seeks time to file Power of Attorney in the Registry.

As per allegations petitioner and other co-accused were armed with blunt weapons but later on Section 326 of IPC is attracted. Faced with this situation, learned State counsel seeks time to get instructions

Adjourned to 13.12.2024.

In the meantime, petitioner is directed to join 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/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, 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 28.08.2024, 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.”

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.

December 13, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No