



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

CRM-M-40844-2024
Date of Decision : 10.09.2024

HARJANT SINGH	VERSUS	Petitioner(s)
STATE OF PUNJAB		Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sandeep Kumar Yadav, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 23.08.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. On oral request of the learned counsel for the petitioner, the hereinafter cited Sections, which have been added during the course of investigation, are ordered to be incorporated in the head-note and prayer clause of the present petition, as a part of the offences whereunder the petitioner seeks the relief of anticipatory bail:-

“Sections 365, 342, 389, 120-B, 201, 323, 167, 182, 193, 196 of the IPC”

2. Registry is directed to carry out the requisite corrections.

3. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.399 dated 21.12.2023, under Section 58 of the N.D.P.S. Act, and, Sections 365, 342, 389, 120-B, 201, 323, 167, 182, 193, 196 of the IPC (added subsequently), registered at P.S. City Kapurthala, District Kapurthala.

4. This Court had earlier, vide order dated 07.03.2024, drawn upon CRM-M-7611-2024, granted the relief of anticipatory bail to the petitioner. However, during the course of investigation, offence under Sections 365, 342, 389, 120-B, 201, 323, 167, 182, 193, 196 of the IPC came to be added in the present FIR, and a result thereof, the petitioner was propelled to approach the learned Additional Sessions Judge concerned for grant of anticipatory bail under the newly added Sections, however, his prayer was declined. Consequently, the petitioner has instituted the present petition, thereby seeking the relief of anticipatory bail under the newly added Sections in the present FIR.

5. Since this Court had earlier granted the concession of anticipatory bail to the petitioner, and, now he has apprehension of his arrest, on account of incorporation of some new Sections in the present FIR, this

Court deems it appropriate to grant the asked for relief to the petitioner.
6. Notice of motion for 10.09.2024.

7. Mr. Deepender Singh, Addl. A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

8. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

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 23.08.2024, 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.

6. All pending application(s) stand **disposed** of accordingly.

September 10, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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