



CRM-M-41870-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM-M-41870-2024
Date of Decision : 01.10.2024

Naveen Kumar and another ...Petitioners

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Namit Khurana, Advocate
for the petitioners.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Harender Rana, Advocate
for the complainant.

KULDEEP TIWARI, J.(ORAL)

1. This Court, on dated 28.08.2024, had passed the hereinafter
extracted order, upon the instant petition:-

*“The present petition has been filed under Section 482
BNSS for the grant of anticipatory bail to the petitioners in
case registered against them vide FIR No.222 dated
26.07.2024 under Sections 303(2) BNS, 2023 at Police
Station Sadar Tohana, District Fatehabad.*

*The learned counsel for the petitioner inter alia contends
that without accepting the allegations the petitioners are
ready and willing to deposit a sum of Rs.50,000/- to show
their bona fide with the Panchayat.*

Notice of motion for 01.10.2024.

*Mr. Parveen Kumar Aggarwal, DAG, Haryana, present in
the Court, accepts notice on behalf of the State.*

*In the meantime, the petitioners are directed to appear
before the SHO/Investigating Officer to join investigation*



and in the event of their arrest, they shall be released on bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 482(2) Cr.P.C.:-

(i) that the petitioners shall make themselves available for interrogation before the investigating officer as and when required;

(ii) that the petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade them from disclosing such facts to the Court or to any police officer;

(iii) that the petitioners shall not leave the country without prior permission of the Court and shall surrender their passport, if any.

Meanwhile, the State is directed to file an affidavit/reply as to the exact role of the petitioners and their co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

2. Learned counsel for the petitioner submits that in compliance to order dated 28.08.2024, the petitioners have deposited an amount of Rs.50,000/- with Gram Panchayat concerned, vide Demand Draft No.472087, dated 25.09.2024. Photocopy of the demand draft is placed on record today in the Court. The same is taken on record.

3. Today, the learned State counsel, on instructions imparted to him from the Investigating Officer concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioners had joined the investigation, fully cooperated, and they are no longer required for further custodial interrogation.



4. Status report dated 28.09.2024, by way of affidavit of Mr. Shamsher Singh, HPS, Deputy Superintendent of Police, Tohana, Fatehabad, on behalf of the respondent-State of Haryana, furnished by learned State counsel today in the Court. The same is ordered to be taken on record.

5. 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.”

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 expression of opinion, on the merits of the case.

(KULDEEP TIWARI)
JUDGE

October 01, 2024
Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No