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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42226-2024
Date of Decision : 29.10.2024

SANJEEV KUMAR

.....Petitioner(s)

VERSUS

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Aditya Sanghi, Advocate,
for the petitioner(s).

Mr. R.K.Singla, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. On 29.08.2024, 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, prayer is made for grant of anticipatory bail to the petitioner in case FIR No.0491 dated 18.7.2024, under Sections 318(4), 351(2), 11(2), 308(2), 338, 336 (3), 340(2), 238, 215,61(2) of the BNS-2023, registered at Police Station HTM Hisar, District Hisar.

Relying upon the order dated 9.8.2024 (Annexure P/4), learned counsel for the petitioner submits that the petitioner is copedestal with Raj Kumar @ Raja Gurjar, who has already been granted the relief of anticipatory bail by this Court. He further submits that he is ready and willing to abide by the terms and conditions, which were put upon the petitioner therein.

Notice of motion for 20.9.2024.

On the asking of the Court, Mr. Rajesh Gaur, Addl. AG, Haryana accepts notice on behalf of the respondent-State.

In the meanwhile, the petitioner is directed to join the investigation before the Head of the Special Investigating Team on dated 6.9.2024 at 11.00 a.m. positively and on his doing so, the petitioner be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the



conditions specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

It is further made clear that at the time of joining the investigation, not only the petitioner is required to extend full cooperation with the SIT but also to sworn affidavit to the extent; (i) that he has no claim whatsoever on the property of the complainant, as alleged in the FIR, and has no intention whatsoever even in future to raise any claim over that property; (ii), if in order to rule out that he has any intention to grab the property of other residents of the Hisar, he is ready to inform the investigating officer about the property for which he has legal right and it is open for the investigating officer to investigate/verify the genuineness of those documents; (iii) he is also ready to sworn that apart from the property which he owns he does not have any intention to grab the property of any other resident of the Hisar.

To be heard with CRM-M-38864-2024.”

2. Today, the learned State counsel has, on instructions imparted to him 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.

3. In view of the above, the hereinabove extracted interim order dated 29.08.2024, 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), if any, also stand **disposed** of accordingly.

October 29, 2024
dharamvir/Ajay

(KULDEEP TIWARI)
JUDGE

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