



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

CRA-S-2973-2024

Date of Decision : 30.09.2024

AMIT KUMAR

.....Appellant(s)

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Daljeet Singh Virk, Advocate,
for the appellant(s).

Mr. Rubal Panwar, AAG, Punjab.
None for respondent No.2.

KULDEEP TIWARI, J.(Oral)

1. Through the instant appeal, challenge is thrown to the order dated 20.08.2024, whereby the application for grant of anticipatory bail in case FIR no.621, dated 15.09.2023, registered under Sections 147, 149, 427 and 506 of the IPC, and under Section 3 of the SC/ST Act, at Police Station City Sirsa, District Sirsa, has been dismissed by the learned Additional Sessions Judge, Sirsa.

2. On 17.09.2024, this Court had passed the hereinafter extracted order, upon the instant appeal:-

“1. Despite the respondent No.2 becoming validly served, as reported by Registry of this Court, yet none has caused appearance on his behalf.
2. The learned State counsel has filed reply, on affidavit of Subhash Chand, HPS, Deputy Superintendent of Police, HQ, Sirsa, which is taken on record.

3. The learned counsel for the appellant, by placing reliance upon the order dated 04.07.2024 (Annexure A-3), whereby, appellant's co-accused Sumit, has been granted the concession of anticipatory bail by this Court, submits that since the appellant is on a co-equal pedestal as his co-accused (supra), therefore, he also deserves an alike relief.

4. List on 30.09.2024.

5. In the meantime, the appellant 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 appellant shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023. ”

3. Today, the learned State counsel has, on instructions imparted to him by ASI Parmal Kumar, stated that pursuant to the making of the hereinabove extracted order, the appellant(s) had joined investigation and he is no longer required for custodial interrogation.

4. In view of the above, impugned order dated 20.08.2024, is hereby **set aside**, and the hereinabove extracted interim order dated 17.09.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the appellant(s) shall not commit an offence similar to the present offence;
- (ii) the appellant(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the appellant(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 appellant(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.

September 30, 2024

dharamvir

(KULDEEP TIWARI)

JUDGE

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