



CRM-M-42894-2024

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

**CRM-M-42894-2024
Date of Decision : 29.10.2024**

MUKESH KUMAR

.....Petitioner(s)

VERSUS**STATE OF HARYANA AND ANR.**

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Arvinder Singh Grover, Advocate,
for the petitioner(s).

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

KULDEEP TIWARI, J.(Oral)

1. On 02.09.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“1. 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.491 dated 18.07.2024, under Sections 3(5), 318(4), 351(2) of the Bhartiya Nyaya Sanhita, 2023 (Sections 111(2), 308(2), 338, 336(3), 340(2), 238, 215 of the Bhartiya Nyaya Sanhita, 2023, added subsequently), registered at P.S. HTM Hisar, District Hisar.

2. The learned senior counsel for the petitioner, by placing reliance upon the order dated 09.08.2024 (Annexure P-3), whereby, petitioner's co-accused Raj Kumar @ Raja Gurjar, has been granted the concession of interim bail by this Court, submits that since the petitioner is on a co-equal pedestal as his co-accused (supra), therefore, he also deserves an alike relief. He further submits that the petitioner is also ready and willing to abide by the terms and conditions, as put to his co-accused (supra).

3. Notice of motion.

4. Mr. Rajesh Gaur, Addl. A.G., Haryana, waives service of notice on behalf of the respondent No.1-State.

5. Mr. Vijay Pal, Advocate, waives service of notice on behalf of the respondent No.2.

6. Interim relief in the same terms, as granted to petitioner's coaccused (supra) in CRM-M-38864-2024.

7. It is clarified that the petitioner is at liberty to join the investigation within 15 days from today.

8. List on 20.09.2024, along 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 02.09.2024, 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.

Whether Reportable.

:

:

Yes/No

Yes/No