



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

CRM-M-43766-2024

Date of Decision : 12.11.2024

GURSEWAK SINGH ALIAS MEHARBAN SINGH

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sukhbir Maandi, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 05.09.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of his being enlarged on anticipatory bail, in case FIR No.8 dated 23.01.2023, under Sections 452, 323, 427, 148, 149 and 506 of IPC, 1860 (under Sections 326 and 325 of IPC was added later on), registered at Police Station Khilchian, District Amritsar Rural.

In asking for the relief (supra), learned counsel for the petitioner submits that no specific injury has been attributed to the present petitioner, in the FIR (supra), whereas, subsequently, it is alleged that the petitioner has caused injuries with gandasi, on the left arm of one Lovepreet Singh. Learned counsel for the petitioner further submits that, there is a delay of 11 days in lodging the instant FIR. Learned counsel for the petitioner also submits that out of the total 09 accused, 07 accused persons have already been granted the relief of anticipatory bail, and one of the accused has been granted the relief of regular bail by this Court.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, waives service of
notice on behalf of the respondent-State.

List on 16.10.2024.

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 bond to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. ”

2. Upon the petitioner not joining investigation in pursuance of the order (*supra*), he was again directed to join investigation vide order dated 16.10.2024.

3. 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.

4. In view of the above, the hereinabove extracted interim order dated 05.09.2024, 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.”

5. 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.

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.

November 12, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

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