



215-1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-44642-2024 (O&M)****Date of decision: 24.09.2024**

Sawan @ Shannu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (ORAL)

1. On 09.09.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.227 dated 30.08.2019, under Sections 323, 324, 325, 379, 201, 506, 148, 149 of the IPC, registered at P.S. Sadar Amritsar.

2. The learned counsel for the petitioner submits that, since the matter became compromised between the parties, therefore, he/his coaccused were not arrested in the present FIR, which was registered way back in the year 2019. In fact, the petitioner was of the belief that the present FIR has been cancelled, on the strength of compromise arrived at between the parties.

3. Furthermore, by drawing attention of this Court towards Annexure P-8, the learned counsel for the petitioner submits



that, since thereby the petitioner's co-accused Simmy Bala has already been granted the concession of interim bail by a Co-ordinate Bench of this Court, therefore, the petitioner deserves an alike relief.

4. *Notice of motion for 24.09.2024.*

5. *Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.*

6. *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 bonds 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.*

7. *To be heard along with CRM-M-27334-2024."*

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

3. In view of the above, the hereinabove extracted interim order dated 09.09.2024, 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.

24.09.2024
Satyawan

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No