



CRM-M-45927-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-45927-2024

Date of Decision : October 21, 2024

HARJINDER SINGH

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. On 16.09.2024, 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.151 dated 18.10.2023, under Sections 326, 325, 324, 323, 34 of the IPC, registered at P.S. City Patti, District Tarn Taran.

2. The principal argument of the learned counsel for the petitioner is clothed in the fact that, the matter has been compromised inter se the parties, as is evident from the compromise deed (Annexure P-1). Therefore, he submits that when the complainant is not ready to support the case of prosecution, therefore, putting the petitioner behind the bars, for commission of the alleged offence(s), would tantamount to sheer abuse of process of law.

3. Notice of motion for 21.10.2024.

4. Mr. Raghav Garg, A.A.G, Punjab, accepts notice on behalf of respondent-State of Punjab.

5. 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



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Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.

6. To be heard with CRM-M-37134-2024.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove reproduced order, the petitioner had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove reproduced interim order dated 16.09.2024, as made by this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner shall not commit an offence similar to the present offence;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner shall make himself 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 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.

October 21, 2024
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(KULDEEP TIWARI)
JUDGE

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