



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

**CRM-45104-2024 in/and
CRM-M-46812-2024
Date of Decision : 25.11.2024**

PARDEEPPetitioner

VERSUS

STATE OF HARYANA AND ANOTHERRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Madhur Jangra, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Mr. S.S.Momi, Advocate
for applicant/respondent no.2.

KULDEEP TIWARI. J.(Oral)

CRM-45104-2024

1. The application is allowed as prayed for subject to all just exceptions and a short reply on behalf of respondent no.2 alongwith Annexures R-2/1 to R-2/5, are taken on record.

2. The Registry is directed to tag the same at an appropriate place of the case file.

CRM-M-46812-2024

3. This Court vide order dated 19.09.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 438 of Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner, as he apprehends to be arrested on account of being summoned in a private

complaint No.COMI/113/2018, titled as “**Darshan Vs. Kamal Singh and others**” under Sections 143, 144, 148, 323, 506 and 302 read with Section 149 of IPC and under Sections 25 and 27 of the Arms Act.

Learned counsel for the petitioner in the asking for the relief (supra) inter-alia submits that the petitioner was declared as a proclaimed offender in the instant complaint, whereas, that order was challenged by filing CRM-M-19178-2024 titled “**Pardeep Vs. State of Haryana and another**” before this Court and this Court vide order dated 14.8.2024, had stayed the operation of the order declaring the petitioner as a proclaimed offender. He further submits that except the petitioner, all other accused have been granted the relief of anticipatory bail. He also submits that the main injury is not attributed to the present petitioner as the same is also attributed to one Kamal Singh, who is also granted the relief of anticipatory bail by this Court vide order dated 9.1.2024 passed in CRM-M-61318-2023.

Notice of motion for 23.10.2024.

On the asking of the Court, Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of the respondent-State.

Notice to respondent No.2 be issued for the date fixed on furnishing of requisite process fee.

In the meantime, the petitioner is directed to surrender before the learned trial Court concerned/Duty Magistrate concerned within 10 days from today and in case he surrenders, he shall be released on interim regular bail on furnishing of bail bonds and surety bonds to the satisfaction of the Court concerned.”

4. Learned counsel for the petitioner submits that in defence to the aforesaid directions, the petitioner has caused appearance before the learned trial court concerned, and thereupon, he has been extended the relief of interim regular bail vide order dated 24.09.2024.

5. Learned counsel for respondent no.2/complainant vociferously opposed the grant of anticipatory bail to the present petitioner. He submits that the gravity of the offence are also to be examined while extending the relief of anticipatory bail to the petitioner.

6. This Court has considered the lengthy submissions made by learned counsel for respondent no.2, as well as petitioner, and has also gone through the entire case file.

7. Considering the fact that the petitioner has been summoned in a private complaint, and his custodial interrogation is not warranted at

all, and the probative value of the allegations as alleged in the instant complaint are yet to be ascertained by the learned trial court concerned, this Court deems it appropriate to make the hereinabove extracted interim order dated 19.09.2024, **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 well as the learned trial court concerned, as and when required.

8. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.
9. All pending application(s), if any, also stand **disposed** of accordingly.

November 25, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No