

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206 CRM-M-49703-2023
Date of Decision : April 16, 2024

SAHIL @ SAHIL KHAN -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. J.S. Brar, Advocate
for the petitioner.

Mr. Abhinash Jain, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. On 27.02.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“It is informed to this Court by Learned State counsel, on instructions imparted to him by ASI Jatender Singh, that despite last opportunity granted to the petitioner to join investigation, he has failed to join investigation.

This averment is opposed by learned counsel for the petitioner by submitting that he has joined the investigation with the investigating officer, however, for the reasons best known to the investigating officer, he has not recorded petitioner's appearance in the investigation proceedings.

The petitioner is directed to cause his appearance before the learned Illaqa Magistrate/CJM concerned, on 13.03.2024 by 11:00 a.m. in the morning, and thereupon, on an application made with regard to joining of investigation before the said magistrate, the latter shall call upon the investigating officer concerned, and shall direct him to join the petitioner in the investigation proceedings. Thereafter, the State shall file a reply to the instant petition.

Adjourned to 16.04.2024.

Interim order to continue.”

2. Today, the learned State counsel, on instructions imparted to him by A.S.I. Jitendra Singh, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation on 05.04.2024 and he is no longer required for custodial interrogation.
3. In view of the above, the hereinabove extracted interim order dated 27.02.2024, as made by this Court, is hereby made **absolute**, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
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.

April 16, 2024
devinder

(KULDEEP TIWARI)
JUDGE

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