

2024:PHHC:001079

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

**CRM-M No.49801 of 2023
Date of decision : 08.01.2024**

Tejinder Singh Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. C.S.Jattana, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

1 The petitioner has prayed for grant of anticipatory bail in
FIR No.0248 dated 18.12.2017 registered under Sections 420, 465, 467,
468, 471 and 120-B of IPC at Police Station City Kharar, District SAS
Nagar.

2 On 03.10.2023 while issuing notice of motion the following
order was passed:-

*“Learned counsel for the petitioner has submitted that in the
present case the main accused was Neena Sharma and the complaint
was given by the complainant in the year 2013 whereas FIR was
lodged in the year 2017 and the petitioner was never called by the
police at any point of time. He further submitted that in fact the
petitioner was not even a beneficiary of any transaction.*

Notice of motion.

*Mr. Sarabjit Singh Cheema, DAG, Punjab accepts notice on
behalf of the respondent/State and prays for some time to seek
instructions in the present case.*

Adjourned to 18.12.2023.

Meanwhile, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3 Today, learned State counsel, on instructions from ASI Dilbag Singh, has stated that pursuant to the order dated 03.10.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

4 In view of above, the interim order dated 03.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5 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.

6 This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioner.

7 The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.

8 It will be open to the police or the investigating agency to

move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

- 9 Petition stands disposed off.
- 10 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.
- 11 Pending applications if any, shall stand disposed off.

(PANKAJ JAIN)
JUDGE

08.01.2024
spn

Whether speaking/reasoned	Yes
Whether Reportable :	No