

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

CRM-M-51932 of 2023

DATE OF DECISION :- 09.02.2024

Gurjant Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Amarjit Singh Sandhu, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. On 12.10.2023, the following order was passed:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.105 dated 30.07.2023 under Sections 406, 498-A of the Indian Penal Code, 1860 registered at Police Station Shambu, District Patiala.

Learned counsel for the petitioner, at the outset, states that the petitioner is willing to settle the matter and return the Istridhan articles lying with him. Learned counsel, on instructions from the petitioner, assures the Court that the articles would be returned in the same condition as they were handed over to the petitioner.

Notice of motion.

Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of respondent No.1-State of Punjab.

Let notice be issued to respondent No.2 returnable 09.01.2024. On the next date of hearing the petitioner shall bring a bank draft for Rs.30,000/- in the name of respondent No.2 towards litigation expenses. Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the

Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

2. Learned State counsel, on instructions from ASI Bhan Singh, has stated that pursuant to the order dated 12.10.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the present petition stands allowed and the interim order dated 12.10.2023 passed by this Court is 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. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

09.02.2024
P.Singh

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