



210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52442-2023
Date of decision : 08.05.2024

MAJOR SINGHPetitioner

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Harpal S. Sandhu, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

On 12.02.2024, the following order was passed :-

Apprehending his arrest in FIR No.129 dated 09.09.2023, registered for offences punishable under Sections 420 of the Indian Penal Code, 1860 at Police Station Kot Ise Khan, District Moga, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Ld. Counsel for the petitioner *inter alia* submits that in order to show his bona fide the petitioner is ready to pay Rs.5.00 lac. May do so on or before 19.02.2024.

Issue notice of motion, returnable for 19.02.2024.

Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent/State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C

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2. Counsel for the petitioner has produced demand draft of Rs.5.00 lacs in favour of the complainant. The same has been handed over to the complainant, who is present in person and has been identified by I.O. namely Raghwinder Dheer. Photocopy of the demand draft has been kept with the record.

3. Ld. State Counsel on instructions from IO Raghwinder Dheer submits that the petitioner has already joined investigation and is no more required for custodial interrogation.

4. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 12.02.2024 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.

5. This order should not be treated as "blanket" order. It will not be read granting the 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 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 accordingly.

May 08, 2024			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No