

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-51385-2024

Date of Decision : **November 18, 2024**

LAL CHAND VIRHE

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Kulwant Singh, Advocate for the petitioner.
Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 21.10.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., the petitioner seeks the concession of anticipatory bail, in case FIR No.19 dated 30.08.2018, under Sections 420, 120-B of the IPC, and, Section 12(1)(b) of the Passports Act, 1967 (Sections 465, 466, 467, 471 of the IPC added subsequently), registered at P.S. N.R.I. Ludhiana, Police Commissionerate Ludhiana.

2. The learned counsel for the petitioner inter alia submits that, in fact, the petitioner is the complainant in the present FIR, however, during the course of investigation, he has been transposed as an accused therein. He further submits that, as per allegations, the telephonic recordings inter se the petitioner and other

accused persons reveals that, the petitioner knows everything about the act and conduct of the other accused persons, who applied for N.O.C./P.C.C. etc. on the basis of fake documents.

3. The learned counsel for the petitioner also submits that, since the entire case is based upon documentary evidence, and that, petitioner's co-accused/main beneficiary Happy Singh has already been granted the concession of anticipatory bail by this Court, vide order dated 10.07.2024, drawn upon CRM-M-10228-2024, therefore, the petitioner also deserves the concession of anticipatory bail.

4. Notice of motion for 18.11.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023."

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 21.10.2024, is hereby made **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 and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.

November 18, 2024
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(KULDEEP TIWARI)
JUDGE

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