

2024:PHHC:021725

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

211

CRM-M-55672-2023

Date of decision: 15.02.2024

Khushdeep Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.113 dated 25.08.2023, registered for the offences punishable under Sections 354, 323 read with Section 34 of Indian Penal Code, 1860 at Police Station Sangat, District Bathinda.

2. On 06.11.2023, the following order was passed:-

“The petitioner herein seeks the relief of pre-arrest/anticipatory bail in the criminal case arisen out of the FIR bearing No.113 dated 25.08.2023 registered at Police Station Sangat, District Bathinda, under Sections 354, 323 read with Section 34 IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner is a young sportsperson aged just 19 years and he has been got falsely implicated in the criminal case under reference due to the reason that the complainant-party and his (petitioner's) family members were already having a dispute over the land jointly owned by them whereas he had no role to play in

the alleged crime and moreover, he (petitioner) is ready and willing to join the investigation as and when so required by the Investigating Agency and is also not involved in any other criminal case.

Notice of motion.

Mr. Virat Rana, learned Assistant Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks time to get proper and complete instructions qua the present matter from the quarter concerned and if deemed necessary, then to file the Status-Report also.

Adjourned to 15.02.2024.

Meanwhile, the petitioner shall join in the investigation on 17.11.2023 at 10:00 AM sharp and if there need be, even thereafter and in the event of his arrest, he shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer and he shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from ASI Karambir Singh, has stated that pursuant to the order dated 06.11.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition is allowed and interim order dated 06.11.2023 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. 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.

7. 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

February 15, 2024
poonam

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No