



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

**CRM-M-55239-2024
Date of Decision : 02.12.2024**

SANJEEV SHARMA

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Navneet Jindal, Advocate for
Mr. Ravi Malhotra, Advocate,
for the petitioner(s).

Ms. Majot Kaur, AAG, Punjab.

Mr. Avtar S. Khinda, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. On 07.11.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is made for grant of anticipatory bail to the petitioner in case FIR No.208 dated 3.8.2024, under Sections 457/380 IPC, registered at Police Station City District Kapurthala.

Learned counsel for the petitioner in the asking for the relief (supra) submits that the co-accused of the petitioner, namely, Sukomal Sharma and Divyam Sharma have already been granted the concession of anticipatory bail by this Court vide orders dated 22.10.2024 passed in CRMM-41583-2024 and 44109-2024 respectively and the petitioner is at co-equal pedestal with the accused in that petition.

Notice of motion for 2.12.2024.

On the asking of the Court, Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. A.S.Khinda, Advocate has caused appearance on behalf of the complainant and has vociferously opposed the grant of anticipatory bail to the petitioner.

In the meanwhile, 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/Investigating Officer. The petitioner shall, however, join the investigation as and when called

for and shall also abide by the conditions specified under Section 482(2) of the BNSS, 2023. ”

2. Today, the learned State counsel has, on instructions imparted to her by the police 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 custodial interrogation.

3. She has also filed a status reply, dated 01.12.2024, by way of an affidavit of Sh.Deep Karan Singh, DSP, Sub-Division Kapurthala, today in court, which is ordered to be taken on record.

4. In view of the above, the hereinabove extracted interim order dated 07.11.2024, 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.”

5. 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.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

7. All pending application(s), if any, also stand **disposed** of accordingly.

December 02, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

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