

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

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CRM-M-55820-2024

Date of Decision : **December 10, 2024**

MANDEEP

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Yajat Gill, Advocate for the petitioner.
Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Status report dated 9.12.2024 by way of an affidavit of Shamsher Singh, HPS, Deputy Superintendent of Police, Tohana, Fatehabad has been filed by the learned State counsel today in the Court, the same is taken on record.
2. On 11.11.2024, 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., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.222 dated 26.07.2024, under Section 303(2) of the B.N.S., 2023, registered at P.S. Sadar Tohana, District Fatehabad.

2. The learned counsel for the petitioner inter alia submits that, since the petitioner is on a co-equal pedestal as his co-accused Surender Gill @ Surender @ Shelu and Naveen Kumar, who have already been granted the relief of

anticipatory bail by this Court, vide the orders respectively embodied in Annexures P-3 and P-4, therefore, the petitioner also deserves an alike relief. He further submits that, without accepting the allegations, the petitioner is also ready and willing to, alike his coaccused (supra), deposit a sum of ₹ 25,000/- with the Panchayat, to show his bona fide.

3. Notice of motion for 10.12.2024.

4. Mr. Rajesh Gaur, Addl. A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

5. In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 482(2) of the B.N.S.S.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade them from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.

6. Meanwhile, the State is also directed to file an affidavit/reply as to the exact role of the petitioner and their co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

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 11.11.2024, 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.”

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.

December 10, 2024
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(KULDEEP TIWARI)
JUDGE

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