

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208 CRM-M-62095-2023
Date of Decision : April 16, 2024

SUBHASH CHANDER VERMA -PETITIONER

V/S

STATE OF PUNJAB -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Aakash Deep Singh, Advocate with
Mr. Ishan Gupta, Advocate
for the petitioner.

Mr. Raghav Garg, A.A.G, Punjab.

Mr. Yogesh Goel, Advocate with
Mr. Vishwas Bansal, Advocate
for the respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. On 30.01.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

*“1. On 11.12.2023, this Court had passed the
hereinafter extracted order upon the instant petition:-*

*“1. On oral request of the learned counsel for the
petitioner, complainant Balwant Kohli, through his G.P.A.,
is ordered to be impleaded as respondent No.2 in the
instant petition. However, the learned counsel for the
petitioner is directed to file the amended memorandum of
parties, containing therein the correct particulars of the
newly impleaded respondent No.2, during course of the
day, before the Registry of this Court.*

*2. Through the instant petition, as instituted under Section
438 of the Cr.P.C., the petitioner seeks the relief of
anticipatory bail in case FIR No.195 dated 20.11.2023,*

under Sections 420, 467, 468, 471, 120-B of the IPC, registered at P.S. Dugri, District Police Commissionerate Ludhiana.

3. Notice of motion.

4. Ms. Kanica Sachdeva, A.A.G., Punjab, waives service of notice on behalf of the respondent No.1- State.

5. Subject to requisite process fee being filed by the learned counsel for the petitioner, notice be issued to the newly impleaded respondent No.2.

6. Dasti also.

7. List on 18.12.2023 in the urgent list.

8. On the subsequent date of hearing, the learned State counsel is directed to file a specific reply to the instant petition, detailing therein, the incriminatory material, if any collected by the investigating agency, which establishes the culpability of the petitioner.

9. It is made clear that in case the respondent No.1-State does not file the reply/status report, as requisitioned by this Court, the instant petition will be decided on its own merits.”

2. List on 16.04.2024.

3. 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 438(2) Cr.P.C.”

2. Today, the learned State counsel, on instructions imparted to him by A.S.I. Bhupinder Singh, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 30.01.2024, as made by this Court, is hereby made **absolute**,

subject to the conditions as enumerated under Section 438(2) Cr.P.C.

4. 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.

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

April 16, 2024
devinder

(KULDEEP TIWARI)
JUDGE

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