



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-57672-2024

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

HARMAN ALIAS HAMMU ALIAS HARMANDEEP SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sandeep Godara, Advocate for
Mr. Ajay Pal Singh, Advocate
for the petitioner (through VC).

Ms. Avneet, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Status reply dated 9.12.2024 by way of an affidavit of Sukhvinder Singh, PPS, Deputy Superintendent of Police, Sub-Division Chabbewal, District Hoshiarpur has been filed by the learned State counsel today in the Court, the same is taken on record.

2. On 20.11.2024, 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.115 dated 03.11.2024, under Section 25 of the Arms Act, 1959, registered at P.S. Mehtiana, District Hoshiarpur.

2. The learned counsel for the petitioner inter alia submits that, except the secret information and that too only against petitioner's co-accused Gurpreet Singh, and, the disclosure

statement of petitioner's co-accused, probative value whereof is inherently frail, the investigating agency is not seized of any other cogent inculpatory evidence against petitioner. Moreover, the country made pistols have already been recovered from petitioner's coaccused and nothing is to be recovered from petitioner.

3. Notice of motion for 10.12.2024.

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

5. 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 20.11.2024, 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