

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

CRM-M-62570-2023 (O&M)

Date of decision : 03.04.2024

RANJIT SINGH

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

On 19.12.2023, the following order was passed :-

“xxx

Apprehending his arrest in FIR No.146 dated 19.05.2023, registered under Sections 420/467/468/471/120-B IPC at Police Station Saha, District Ambala, petitioner seeks pre-arrest bail.

It has been contended that Jamabandi for the year 2018- 2019 which has been placed on record is the same which was for the year 2008-2009 and the same explicitly reflected that the petitioner was owner to the extent of 1/3rd share. The financial institute got the due diligence done and only thereafter the petitioner was lent loan. Thus so far as offence punishable under Section 467/468 IPC is concerned, the same would not be made out against the petitioner.

Notice of motion for 03.04.2024.

On the asking of the Court, Mr. Gaurav Bansal, DAG, Haryana appears and accepts notice on behalf of the respondent-State.

In the meantime, 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 officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions”

2. Today, Ld. State Counsel on instructions submits that the petitioner has already joined investigation and is no more required for custodial interrogation.
3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 19.12.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
4. This order should not be treated as "blanket" order. It will not be read granting the 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. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.
6. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.
7. It will be open to the police or the investigating agency to move this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
8. Petition stands disposed off accordingly.

April 03, 2024
Dpr

(Pankaj Jain)
Judge

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