

CRM-M-65017-2023
Date of Decision : 07-05-2024

.....Petitioner

Versus

.....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present:- Mr. Tarun Kumar, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG Haryana.
along with ASI Satyaveer Singh.

PANKAJ JAIN, J. (Oral)

1. The petitioner has prayed for grant of anticipatory bail in FIR No.235 dated 08.08.2023, registered for offences punishable under Sections 148, 149, 323, 341, 379-A, 452 and 506 of Indian Penal Code at Police Station Sector-14, District Panchkula.

2. On 09.01.2024, the following order was passed:-

“Status report by way of affidavit of Surender Singh, HPS, ACP, Panchkula on behalf of respondent-State has been filed. The same is taken on record. Copy supplied to the counsel opposite.

Learned counsel for the petitioner inter alia submits that there is no specific role assigned to the petitioner.

Adjourned to 01.04.2024.

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 enumerated under Section 438(2) of the Cr.P.C.”

3. Learned State counsel, on instructions from ASI Satyaveer Singh has stated that pursuant to the order dated 09.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the interim order dated 09.01.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. 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.

6. 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.

7. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.

8. 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.

9. Petition stands disposed off.
10. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

07-05-2024
spn

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No