



CRM-M-28019-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28019-2023

Date of Decision : 21.01.2025

Makhan Deen and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Vinod Kumar Kaushal, Advocate
for the petitioners

Mr. R.S. Thind, DAG Punjab

Mr. G.S. Verma, Advocate
for respondent No. 2

KIRTI SINGH, J.(Oral)

1. Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner, in case FIR No.14 dated 07.03.2023 registered under Sections 376D, 506, 323, 120-B IPC at Police Station Rawalpindi, District Kapurthala.

2. Additional affidavit of Sh. Bharat Bhushan, PPS, Deputy Superintendent of Police, Sub Division Phagwara, District Kapurthala on behalf of respondent No. 1-State has been filed in the Court today. The same is taken on record. A copy thereof has been supplied to learned counsel for the petitioners.

3. Learned State counsel on instructions from ASI Sukhdev Singh submits that in compliance of order dated 31.05.2023, the petitioners have joined the investigation and are not required for any further investigation.

Having considered the aforesaid facts and circumstances, the petition



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is allowed. Order dated 31.05.2023 passed by this Court, is hereby made absolute.

5. 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.

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 accused/petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioners shall not leave India without prior permission of the Court.

9. The accused/petitioners shall join investigation as and when called by the police.

10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) 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.

21.01.2025

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(KIRTI SINGH)
JUDGE

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No