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

CRM-M-26214-2023

Date of Decision: 06.12.2023

**Joban Singh @ Jagroop Singh**

.....Petitioner

Versus

**State of Punjab**

.....Respondent

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present:- Mr. Vinod K. Kaushal, Advocate  
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

**PANKAJ JAIN, J.(Oral)**

On 22.05.2023, the following order was passed :-

*“Learned counsel for the petitioner inter alia submits that the petitioner was never apprehended at the spot and was falsely implicated in the present case.*

*Notice of motion for 12.10.2023.*

*In the meanwhile, petitioner will join investigation before the Investigating Officer as and when called. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”*

2. Today, Ld. State Counsel on instructions from ASI Bias Dev Singh 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 22.05.2023 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.

**06.12.2023**

*jyt*

**(PANKAJ JAIN)**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes/No*

*Whether Reportable:*

*Yes/No*