

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

Criminal Misc.No.M-25244 of 2015

Date of Decision: September 11, 2015

Rajinder Kaur & Ors.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.A.S.Barnala, Advocate,
for the petitioners.

Mr.K.S.Pannu, DAG, Punjab.

Mr.Sham Lal Bhalla, Advocate,
for the informant/aggrieved persons.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioners, Rajinder Kaur, Balbir Singh and Manjeet Kaur, who have been booked for having committed the offences punishable under Sections 120-B, 406, 420, 465, 468 and 471, IPC, and Section 34 of the Immigration Act, in a case arising out of FIR No.268, dated 31.10.2012, registered at Police Station, Phase I, District Mohali.

Learned counsel contends that the present second petition for anticipatory bail has been filed on the basis of compromise Annexure P-2; the earlier petition was dismissed on merits by this Court, therefore, petition filed before learned

Additional Sessions Judge has wrongly been declined mainly on the basis that this Court had dismissed the petition on merits. He further contends that in view of the compromise effected between the parties, a draft bearing No.000417 dated 10.09.2015 drawn at ICICI Bank, for a sum of ₹4,50,000/- (Rupees four lacs and fifty thousand only) has been handed over to the aggrieved persons, namely, Lakhbir Singh and Gurmukh Singh and the same has been accepted by them through their counsel Sh.Sham Lal Bhalla, Advocate. The photostat copy of the said draft has been produced which is taken on record. The aggrieved persons have been identified by ASI Ramesh Kumar, Police Station, Phase I, S.A.S.Nagar (Mohali).

Learned counsel for the State submits that the parties have sorted out their dispute and effected a compromise, therefore, he has no objection if the anticipatory bail is granted to the petitioners. However, they be directed to join the investigation as and when required to do so.

Mr.Sham Lal Bhalla, learned counsel for the informant/aggrieved persons very fairly concedes that since the compromise has been effected and a draft for a sum of ₹4,50,000/- (Rupees four lacs and fifty thousand only) has been handed over to the aggrieved persons who are present in the Court, therefore, he too has no objection if the anticipatory bail is granted to the petitioners.

In view of the above, the present petition is allowed.

In the event of their arrest, petitioners, Rajinder Kaur w/o Daljit Singh, r/o House No.2020, Sector 45, Burail, Chandigarh, Balbir Singh s/o Joginder Singh, r/o House No.2231, Sector 52, Chandigarh and Manjeet Kaur, w/o Balbir Singh, r/o House No.2231, Sector 52, Chandigarh, shall be released on bail subject to their furnishing personal bonds in the sum of ₹ 25,000/- each with one surety in the like amount to the satisfaction of the arresting officer.

The petitioners shall join the investigation as and when required to do so and abide by all the conditions laid down in Section 438(2),Cr.P.C.

September 11,2015
seema

(Naresh Kumar Sanghi)
Judge