

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-18953 of 2016

.....

Date of decision:3.8.2016

Jhanda Ram

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Amit Verma, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.44 dated 26.3.2011 registered for the offences under Sections 406, 420 and 34 IPC at Police Station Bullowal, District Hoshiarpur.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

Learned counsel for the petitioner argued that the compromise between all the accused and the complainant had taken place and the petition has already been filed for quashing of the FIR on the basis of

compromise and the direction has already been given to the trial Court for compounding of the offences. The application for compounding of the offences has been moved before the trial Court and the presence was not required for trial. It is also argued that the petitioner is 88 years old and due to non-appearance before the trial Court the petitioner has been declared as proclaimed offender.

As per the interim order passed by this Court on 30.5.2016, the petitioner was directed to appear before the Court below within ten days and the trial Court was directed to release him on interim bail to its satisfaction. The petitioner has already appeared before the trial Court and has been released on bail.

As the compromise has already been effected and the petitioner has surrendered before the trial Court and has been released on bail, therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; I find merit in this petition and the same is allowed. The interim order dated 30.5.2016 passed by this Court granting interim bail to the petitioner is made absolute.

August 3, 2016.

(Inderjit Singh)
Judge

hsp

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