

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

CRM-M-24900-2016 (O&M)

Date of decision : 26.10.2016

Darshan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Bikram Jit Singh Bajwa, Advocate for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab,
assisted by ASI Ram Lubhaya.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.31 dated 20.04.2016, registered under Sections 420 and 120-B of the Indian Penal Code, at P.S. Ghoman, District Gurdaspur.

Heard.

On 05.09.2016, the following order was passed:-

“Learned counsel contends that subsequent to the dismissal of the bail application vide order dated 19.05.2016, the parties have entered into a compromise which is a changed and favourable circumstance in favour of the petitioner. Petition under Section 482 of Cr.P.C for quashing proceedings i.e. CRM-M-23007-2016 has already been moved by the parties wherein notice of motion has been issued by this Court.

*Learned counsel has placed reliance on order passed by Hon'ble Full Bench of Calcutta High Court in “**Sri Sudip Sen Vs. State of West Bengal**”, 2012 (7) RCR (CrI) 12.*

Notice of motion for 26.10.2016.

Meanwhile, in the event of arrest of the petitioner

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by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1.That he shall make himself available for interrogation by a police officer as and when required;

2.That he 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 from disclosing such facts to the Court or to any police officer and;

3.That he shall not leave India without prior permission of the Court.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

26.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No