

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30086 of 2016
DECIDED ON: October 20, 2016

GURMEET KAUR AND ANOTHERPETITIONERS..

VERSUS

STATE OF PUNJABRESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Inderjit Sharma, Advocate,
for the petitioners.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J (ORAL)

Through instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioners Gurmeet Kaur and Gagandeep Singh have sought pre-arrest bail, feeling apprehension of their arrest, in case bearing FIR No.28, dated 03.05.2016, under Sections 324, 323, 34 IPC (later on added Section 326 IPC), Police Station Shri Hargobindpur, Tehsil and District Gurdaspur.

2. While issuing notice of motion on 29.08.2016, following order was passed by this Court:-

“It has been inter-alia contended by learned counsel for the petitioner that as far as petitioner No.1-Gurmeet Kaur is concerned she has attributed only exhortation (lalkara) whereas, petitioner No.2 while armed with an 'iron rod' dealt its blow below the right eye of the complainant. The said injury falls within the ambit of

Section 323 IPC and the injury which falls within the purview of Section 326 IPC has been attributed to the co-accused namely Ramandeep Singh.

Notice of motion for 20.10.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under section 438(2) Cr.P.C”

3. Learned State counsel on instructions from ASI Balwinder Singh, Police Station Shri Hargobindpur, Gurdaspur, has submitted that the petitioners have joined the investigation in compliance of order dated 29.08.2016 and they are no more required for further investigation.

4. Otherwise, it has emerged during the course of arguments that the parties have arrived at a compromise.

5. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 29.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

October 20, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*