

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

CRM-M-12599-2017 (O&M)
Date of decision : 15.09.2017

Gurpreet Singh @ Mitthu and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Navjot Singh, Advocate for the petitioners.

Mr. A.S. Gill, Sr. DAG, Punjab,
assisted by HC Gurmit Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in case FIR No.21 dated 06.03.2017, registered under Sections 354, 323 and 506 read with Section 34 of the Indian Penal Code, at Police Station Amloh.

Heard.

On 13.04.2017, the following order was passed:-

“Counsel inter alia submits that the non-bailable offence is under Section 354 IPC and even as per the FIR itself, on account of a fight within the complainant's family, the petitioners who are neighbours, had gone to the house to protest on account of noise being raised. It is submitted that there is a delay of 4 days in lodging the FIR and initially in the Kalandra under Section 107/151 IPC, there was no such allegation of outraging the modesty of the complainant Manjeet Kaur. Reference is made to Annexure P-2. It is submitted that no recovery as such is to be effected from the petitioners.

Notice of motion.

On the asking of the Court, Mr. R.S. Pathania, DAG, Punjab accepts notice on behalf of the respondent. Copy of the paper book has been supplied to him in Court.

Adjourned to 17.05.2017.

In the meanwhile, it is directed that the petitioners shall join investigation and in the event of arrest of the petitioners, they shall be released on ad-interim bail by the investigating officer and shall comply with the conditions laid down in Section 438(2) Cr.P.C.”

It is stated that the matter has been compromised between the parties. A copy of the compromise has been furnished in the Court, which is taken on record as Mark 'A'.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioners have joined the investigation and they are 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 13.04.2017, 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.

15.09.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No