

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

CRM No.M-19111 of 2017 (O&M)

Date of Decision: May 30, 2017

Hari Ram

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms.Sarika Gupta, Advocate,
for the petitioner.

Mr.V.P.S.Sidhu, Asstt. Advocate General, Punjab
for the respondent-State.

Ms.Divya Godara, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for issuance of direction to the trial Court to release the petitioner on bail in the event of his appearance and furnishing bail bonds in case FIR No.52 dated 30.10.2010 under Sections 325, 323, 341 and 34 IPC registered at Police Station Behram, SBS Nagar, as the petitioner is to face trial in a cross case.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

Learned counsel for the complainant stated that he has no objection if the bail is granted to the petitioner as a compromise has already been effected between the parties. The other accused have already been acquitted due to the compounding of the offence.

Further, the order dated 18.11.2011 passed by learned JMIC, SBS Nagar, declaring the petitioner as proclaimed offender has already been set aside by this Court today, in other petition i.e. CRM No.M-15601 of 2017. No useful purpose will be served by sending the petitioner to custody.

In view of the facts and circumstances of the case, I find merit in the present petition and the same is allowed. It is ordered that, in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

May 30, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No