

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

CRM-M-19962-2017 (O&M)
Date of decision : 28.08.2017

Ajay Kumar

...Petitioner

Versus

U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Jatinder Kumar Kamboj, Advocate for the petitioner.

Mr. A.S. Sullar, APP, U.T. Chandigarh,
assisted by SI Kuldeep Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.106 dated 01.05.2017, registered under Section 354 of the Indian Penal Code, at Police Station Sector 17, Chandigarh.

Heard.

On 02.06.2017, the following order was passed:-

“Original compromise deed purported to be executed between the complainant and the petitioner has been placed on record.

Counsel for the petitioner inter alia contends that perusal of the FIR would evident that the complainant a married lady has not levelled any serious allegations against the petitioner nor the parties knew each other prior to the occurrence for the petitioner's having malice against the complainant. It is further submitted that the dispute between the parties has been settled by way of compromise and the original compromise deed has been produced before the court. Further argued that no recovery is to be effected from the petitioner, therefore,

his custodial interrogation is not required when otherwise he is ready to join investigation and co-operate throughout.

Notice of motion for 28.8.2017.

In the meanwhile, the petitioner shall join investigation within a period of 10 days. In case, he joins the investigation within the stipulated period, he shall be released on interim bail by the investigating officer subject to the following conditions:-

(i) He shall join the investigation as and when required by the Investigating Officer.

(ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and

(iii) He shall not leave the limits of this country without prior permission of the Court.

Learned counsel appearing on behalf of the U.T. Administration, 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 02.06.2017, 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.

28.08.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No