

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

(1)

**Crl. Misc. No.M-20240 of 2017 (O&M)
Date of Decision: July 25, 2017**

Harbhajan Singh and others

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

(2)

Crl. Misc. No.M-21182 of 2017 (O&M)

Nirvail Singh and others

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Senior D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.47 dated 19.04.2017 registered for the offences punishable under Sections 307, 326, 324, 323, 341, 506, 427, 148 read with Section 149 of Indian Penal Code (for short-IPC); 25 and 27 of Arms Act, 1959, at Police Station Sadar Tarn Taran.

Heard.

Learned State counsel on instructions from Head Constable

Dilbag Singh, submits that petitioners have joined the investigation, which is still in progress but his custodial interrogation is not required for the purpose of further investigation. Though the FIR has been registered for the offence punishable under Section 307 IPC as the allegation against petitioner Ranjit Singh is that he had fired two shots from his rifle but not fire-shot injury was suffered by the complainant or any person of his party.

Learned counsel for the petitioners submits that the matter has since been amicably settled and a copy of compromise has been given to the Investigating Officer. A petition for quashing of this FIR on the basis of compromise bearing CRM No.M-23128 of 2017 has already been filed, which is pending for 20.09.2017.

Keeping in view the above facts but without expressing any opinion on the merits of the case, both the aforementioned petitions are allowed. Order dated 01.06.2017 passed in CRM-M-20240-2017 and order dated 14.06.2017 passed in CRM-M-21182-2017 are made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

July 25, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No