

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

CRM-M -27611 of 2016 (O&M)
Date of decision: 30.08.2017

Gaurav Jindal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Petitioner in person with
Mr. A.S. Pahal, Advocate for
Mr. M.S. Chauhan, Advocate for the petitioner(s).

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

Mr. Nirbhay Garg, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.142 dated 09.07.2016, registered under Sections 498-A, 406, 506 read with Section 34 of IPC, at Police Station City South Moga, District Moga.

On 11.08.2016, this Court had passed the following order:-

“On oral request, the petitioner is permitted to implead the complainant as respondent-party. Amended memo of parties be filed and thereafter notice of motion be issued, returnable for 10.11.2016.

In the meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on bail to the satisfaction of the arresting/investigating officer subject to the conditions laid down in section 438 sub section 2 clauses (i)(ii) and (iii) of the Code of Criminal Procedure.”

It is contended that in pursuance of the order dated 11.08.2016, the petitioner has joined the investigation. Even the compromise has been effected between the parties.

Learned counsel for the complainant admits the factum of compromise and states that in view of the compromise, he does not have any objection in case the present petition is allowed.

The State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

Petitioner heard in person. He undertakes to honour the terms and conditions of compromise in letter and spirit and in case of any violation thereof, he will have no objection if any proceedings including the present petition is revived either by the complainant or by the State.

Keeping in view the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned

Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

30.08.2017

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(JITENDRA CHAUHAN)
JUDGE

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