

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-35917-2016

Decided on : 24.05.2017

Bhagwant Singh

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.H.S.Batth, Advocate, for the petitioner(s).

Mr.Neeraj Yadav, AAG, Punjab.

Mr.Jasmandeep, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through this petition filed under Section 438 Cr.P.C., the petitioner seeks the concession of anticipatory bail in FIR No.59, dated 24.07.2016, registered under Sections 307, 452, 506, 427, 148, 149 IPC and Sections 25, 27, 54 and 59 of the Arms Act, at Police Station Sadar Patti, District Tarn Taran.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in the case; even if the prosecution case is accepted as a gospel truth which he denies, only a *lalkara* is attributed to the petitioner; there is no other criminal case in which he is involved; the matter between the petitioner and the complainant has been compromised and that under the interim order of this Court dated 07.11.2016 he has not only joined investigation but has fully cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Sanjeevan Singh, submits that a compromise has been effected between the petitioner and the complainant; there is no other criminal case in which the petitioner is involved; he has not only joined investigation but has fully cooperated with the

investigating agency and that at this stage, the petitioner is not needed by the investigating agency for any further questioning.

Learned counsel appearing on behalf of the complainant also has not opposed the grant of anticipatory bail to the petitioner.

Since the petitioner has not been attributed any injury; he is not involved in any other criminal case; he has not only joined investigation but has fully cooperated with the investigating agency; the matter between the petitioner and the complainant has been compromised and for the reason that learned State counsel has submitted that at this stage, the petitioner is not required for any further questioning, I am of the opinion that no custodial interrogation of the petitioner is warranted.

In view of the above, the order dated 07.11.2016, granting interim bail to the petitioner subject to the conditions prescribed under Section 438(2) Cr.P.C., requires to be made absolute.

Ordered accordingly.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioner, if he is found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioner.

24.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No