

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

CRM M-39547 of 2017.

Date of Decision: 15.11.2017.

Siba @ Sandeep Kumar and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sandeep Godara, Advocate for
Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioners.

Ms. Anju Arora, Addl. AG Punjab
assisted by ASI Gurbachan Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438
Cr.P.C seeking anticipatory bail in case FIR No. 102 dated 18.07.2017
registered under Section 354 read with Section 34 IPC at Police Station
Dhariwal, District Gurdaspur.

On 18.10.2017 this Court had passed the following
order:-

“This is an application under Section 438 Cr.P.C. for grant of
anticipatory bail to the petitioners in case FIR No. 102 dated
18.7.2017, under Sections 354/34 IPC, registered at Police Station
Dhariwal, District Gurdaspur.

Learned counsel for the petitioners submits that the parties have
compromised the matter. The dispute started because of purchase
of mobile. The said mobile was not in a good condition for which

there was quarrel. It resulted into FIR. Now the matter has been compromised. The mobile will be returned to the petitioners and in turn the petitioners will return the money.

Learned counsel further stated that the said compromise has already been acted upon.

Notice to Advocate General Punjab for 15.11.2017.

Learned counsel undertakes to supply the copy of petition during the course of day.

In the meantime, the arrest of the petitioners shall remain stayed subject to the conditions as envisaged under section 438 (2) Cr.P.C. Petitioners will appear before the Investigating Officer, Police Station Dhariwal, District Gurdaspur, on 20.10.2017 at 11:00 a.m.”

It is contended that in pursuance of the order dated 18.10.2017, the petitioners have joined the investigation.

Learned State counsel, on instructions, states that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of above, the order dated 18.10.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioners to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

15.11.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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