

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

CRM-M No. 42147 of 2017

DATE OF DECISION :- December 19, 2017

Raj Kumar @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M No. 44224 of 2017

Boli Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Ms. Manjot Kaur , Advocate for the petitioner(s).

Ms. Samina Dhir, Deputy Advocate General, Punjab.

Mr. Charanpreet Singh, Advocate for the complainant.

This order shall dispose off two petitions bearing CRM-M No. 42147 of 2017 filed by Raj Kumar @ Raju and CRM-M No. 44224 of 2017 filed by Boli Ram for grant of pre arrest bail in F.I.R. No. 116 dated 6.10.2017 for offence under Sections 323, 341, 427, 379B, 506, 148, 149, 395 of the Indian Penal Code registered with Police Station City Dhuri, District Sangrur.

Briefly stated the allegations as per prosecution story are that Boli Ram, Raj Kumar, Rodi wife of Boli Ram along with one Karamjit Singh @ Bachi had snatched a sum of Rs.1,86,500/- from complainant Tejinder Singh by wrongfully restraining him and had also inflicted injuries upon him. Boli Ram was arrested in this case on 5.10.2017. He had moved an application for regular bail but the same was declined by Additional Sessions Judge, Sangrur vide order dated 26.10.2017, as such he has approached this Court seeking regular bail. Whereas, Raj Kuamr @ Raju had also filed a petition for grant of pre arrest bail, which was dismissed and now he is seeking similar relief by way of approaching this Court.

Notice has been given to the State. Complainant Tejinder Singh along with his counsel Mr. Charanpreet Singh has appeared and stated that the matter has since been compromised between the parties. Copy of written compromise has been placed on file.

I have heard learned counsel for the petitioner, learned State counsel and learned counsel for the complainant besides going through the record.

Learned State counsel submits that Raj Kumar @ Raju has joined the investigation and has submitted an affidavit that he does not hold any Passport. She had instructions from ASI Paramjit Singh. He states that as per information received by the investigating agency, the matter has been compromised between the parties.

Under such circumstances, I find that custodial interrogation of petitioner Raj Kumar @ Raju is not necessary and further detention of Boli Ram will not serve any purpose. Therefore, the interim bail granted to

petitioner Raj Kumar @ Raju vide order dated 9.11.2017 is made absolute, subject to his fulfilling conditions under Section 438(2) Cr.P.C. Accordingly, petition filed by Raj Kumar @ Raju stands allowed. Whereas, while allowing the petition filed by Boli Ram, he is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the Ilqa Magistrate, Dhuri subject to the following conditions : -

- (i) He shall appear in the Court on each and every date of hearing.
- (ii) He shall not give any threat or intimidation to the prosecution witnesses.
- (iii) He shall not leave India without prior permission of the Court.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

(H.S. MADAAN)
JUDGE

December 19, 2017

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No