

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7246 of 2017 (O&M)

Date of Decision: 27.03.2017

Salwinder Singh & others

--Petitioners

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Deepak Malhotra, Advocate for the petitioners.

Ms. Harpreet K. Athwal, D.A.G, Punjab.

Ms. Ekta Thakur, Advocate for
the complainant/respondent no.2.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in case F.I.R. No.003 dated 8.1.2017 under sections 436, 427, 307, 323, 148, 149 I.P.C, registered at Police Station, Mahilpur, District Hoshiarpur.

Suffice it to notice that the FIR came to be registered at the instance of Deepak Agnihotri. Allegations in a nutshell were as regards the complainant having been assaulted by the accused party including the present petitioners and having been inflicted *danda* blows. The injury attracting offence under Section 307 I.P.C is on the right hand.

On 10.3.2017, the following order was passed by this Court:-

“Put up on 27.03.2017.

Till then, in the event of arrest, petitioner shall be released on ad-interim anticipatory bail in FIR No. 003, dated 08.01.2017, registered under Sections 436/427/307/323/148/149 of Indian Penal Code, 1860, at Police Station Mahilpur, District Hoshiarpur, on furnishing of

his bail bond amounting to ₹10,000/- with one surety of like amount to the satisfaction of the arresting officer. He shall, however, join the investigation and fully cooperate with the Investigating Officer.”

Learned State counsel upon instructions from ASI Sham Lal would apprise the Court that the petitioners have since joined investigation. That apart, counsel for the petitioners would submit that a compromise has been arrived at with the complainant at the very initial stage and during the course of investigation itself.

Learned counsel appearing for the complainant/respondent no.2 also concedes to the factum of compromise.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 10.3.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

27.03.2017
lucky

Whether speaking/reasoned:	Yes
Whether Reportable:	No