

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

**Crl. Misc. No.M-9513 of 2017 (O&M)
Date of Decision: September 12, 2017**

Ashish Kumar @ Ashu and another

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Raj Kumar Gupta, Advocate
for petitioner No. 2-Kuldeep Kumar.

Petition qua petitioner No. 1 already withdrawn.

Mr. Luvinder Sofat, A.A.G., Punjab.

Mr. Amandeep Singh, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 168 dated 26.10.2016 registered for the offences punishable under Sections 307, 324, 148, 506 read with Section 149 of Indian Penal Code and 25, 27 of Arms Act at Police Station Division No. 4, Ludhiana.

Heard.

Learned counsel for petitioner No.2-Kuldeep Kumar submits that the matter has since been amicably settled with the complainant.

Learned State counsel on instructions from ASI Kulwant Singh

submits that petitioner No.2-Kuldeep Kumar has joined the investigation

which is still in progress but his custodial interrogation is not required for the purpose of further investigation.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 21.03.2017 qua petitioner No. 2-Kuldeep Kumar is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

September 12, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***