

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

Criminal Misc. No. M-43805-2018

Date of Decision: 25.10.2018

Gurnam Singh and another

.. Petitioners

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vipin Mahajan, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. B.S. Randhawa, Advocate for respondent No.2.

...

Inderjit Singh, J.

Petitioners Gurnam Singh and Malkit @ Malkeet Singh have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.117 dated 07.12.2017, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur, under Sections 326, 324, 323, 506, 148 and 149 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel and counsel for respondent No.2 have appeared and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

It has been brought to the notice of this Court by learned counsel for the petitioners as well as learned counsel for the complainant that the parties have already effected the compromise. The quashing petition on the basis of compromise has already been filed and statements of the parties in that case have already been recorded.

In pursuance of the interim order dated 04.10.2018, passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. No useful purpose would be served by sending them to custody.

Keeping in view the facts and circumstances of the present case and the compromise effected between the parties; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 04.10.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

25.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No