

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10618-2019

Date of decision: 09.04.2019

Daljeet Kumar @ Ghagi

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. H.S. Batth, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.174 dated 06.09.2018 under Sections 323, 452, 365, 148, 149 IPC, registered at Police Station City Phagwara, District Kapurthala.

While granting interim bail to the petitioner, following order was passed by this Court on 08.03.2019: -

“Learned counsel for the petitioner submits that co-accused of the petitioner namely Munish Kumar son of Birbal has been granted the concession of anticipatory bail vide order dated 29.01.2019 passed in CRM-M-49367-2018. The operative part of the order reads as under :-

“The operative part of the order dated 05.11.2018, vide which interim anticipatory bail has been granted to the petitioners,

is reproduced as under:-

“....Learned counsel for the petitioners submits that the matter stands amicably settled between the petitioners and complainant/respondent No.2 and relies upon compromise (Annexure P-2).

Notice of motion....”

Counsel for the petitioners has submitted that P.O. proceedings are pending qua petitioner No.1 in some another FIR and he is contemplating to challenge those proceedings, thus, the present petition qua petitioner No.1 be dismissed, at this stage.

Ordered accordingly.

Counsel for petitioners on behalf of petitioner No.2 has submitted that, in pursuance to the order dated 05.11.2018, petitioner No.2 has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from HC Nirmal Kumar, has not disputed the aforesaid fact and submits that petitioner No.2 is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to petitioner No.2 namely Munish Kumar, vide order dated 05.11.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from ASI Sukhwinder Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

09.04.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No