

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.13508 of 2019 (O&M)
Date of decision : 09.04.2019

Gagandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

Mr. Anil Kumar, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.15 dated 12.05.2015 registered under Sections 420/406/120-B IPC at Police Station Dorangla, Distt. Gurdaspur

On 02.04.2019 the following order was passed :-

“The petitioner is a proclaimed offender and he is seeking anticipatory bail in case FIR No. 15 dated 12.5.2015 under Sections 420, 406, 120-B IPC at P.S Dorangia, District Gurdaspur. The ground which is taken is that the matter has been compromised between the parties and in fact co-accused

had filed CRM-M-36218-2018 for quashing of the FIR on the basis of the compromise which has been allowed vide order dated 4.12.2018.

A perusal of the order shows that petition for quashing was filed on behalf of the petitioner also but it was dismissed qua the petitioner since he was a proclaimed offender. Counsel for the petitioner states that petitioner is ready to surrender but the Trial Court should be directed to release him on bail in view of these facts.

Notice of motion.

On the asking of the Court, Ms. Amarjit Kaur Khurana, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Mr. Avtar Singh Bhatti, Advocate has entered appearance on behalf of the complainant and accepted the assertions regarding compromise.

Counsel for the petitioner undertakes to supply a copy of the paper book to the learned DAG and learned counsel for the complainant during the course of the day.

Adjourned to 9.4.2019.

A copy of this order under the signatures of the Bench Secretary be handed over to the learned Deputy Advocate General.”

Learned State counsel on instructions from ASI Gurmail Singh has accepted the factual assertions made on the last date.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the Investigating Officer on 15.04.2019 and on any other date as and when his presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

09.04.2019
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No