

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

CRM-M-15423-2019
Date of decision:24.7.2019

BOOTA SINGH AND ANR

....Petitioners

Versus

STATE OF PUNJAB AND ANR

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. H.S. Bhullar, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Narender Kaur, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seeks grant of anticipatory bail in respect of FIR No.134 dated 14.11.2018 under Sections 324/34 of the Indian Penal Code (Section 326 IPC had been added later on), Police Station Bilga, District Jalandhar.
2. The FIR was lodged at the instance of Dilbag Singh wherein it has been alleged that on 12.11.2018 when he was cultivating his land with Tractor then Boota Singh and his son Balkar Singh came there and asked him as to why the complainant had cultivated their land near the boundary. It is alleged that Boota Singh exhorted his son to hit the complainant, upon which Balkar Singh gave a blow with '*Datar*' hitting forehead of the complainant.

3. Learned counsel for the petitioners has submitted that FIR came to be lodged under some mistaken belief and the parties have resolved their dispute and have compromised the matter.
4. Ms. Narender Kaur, Advocate appearing on behalf of the complainant had endorsed the fact that the parties indeed have compromised the matter.
5. Learned State counsel upon instructions from ASI Gurnam Singh have informed that the petitioners have joined investigation.
6. Having regard to the facts and circumstances of the case and bearing in mind that the petitioners have joined investigation and have compromised the matter, in my opinion, it is not a case which would warrant custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 4.4.2019 by this Court are hereby made absolute subject to the condition that the petitioners would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

24.7.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**