

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42114-2017

Date of decision: 26.02.2019

Sukhdev Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.S. Dhaliwal, Advocate
for the petitioner.

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

Mr. J.S. Bhinder, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.125 dated 22.07.2017 under Sections 420, 419, 465, 468, 471, 120-B IPC, registered at Police Station Sunam, District Sangrur.

While granting interim anticipatory bail to the petitioner, following order was passed on 15.11.2017: -

“Counsel for the petitioner has submitted that the petitioner is not a co-sharer rather his father was the co-sharer. It is further submitted that 03 of the co-accused namely Kapoor Singh, Jeet Singh and Ranjit Kaur vide two separate orders dated 10.07.2017 and 09.10.2017 have been granted the concession of interim anticipatory bail till receiving of report of the FSL. Counsel for the petitioner has further submitted that the petitioner, in pursuance to

the interim directions given by the Additional Sessions Judge has already joined the investigation, however, the bail application of the petitioner was dismissed in view of the allegations in the FIR that the partition deed was prepared by the petitioner.

Counsel for the State, on instructions from ASI Jaan Pal Singh, submits that the signatures/hand-writing of the petitioner has already been taken by the police during investigation and the same has been sent to the FSL for comparison.

Counsel appearing for the complainant has submitted that the petitioner has not cooperated in the investigation and has failed to inform the name of the person, who has signed these documents.

Counsel for the State, at this stage, submits that the petitioner be directed to join the investigation to ascertain the aforesaid fact as raised by counsel for the complainant.”

Thereafter, this petition remained pending and the petitioner was directed to rejoin the investigation. In the meantime, parties have arrived at mutual settlement and it is admitted on behalf of the complainant that CRM-M-6020-2019, praying for quashing of the FIR, on the basis of compromise, has already been filed, in which notice of motion is issued for 25.04.2019.

Learned State counsel, on instructions from ASI Baljinder Singh, has not disputed the factum regarding compromise between the parties.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 15.11.2017 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

26.02.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No