

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

**CRM-M No.49367 of 2018
Decided on: 29.01.2019**

Baljinder Kumar @ Ballu and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Manoj Pundir, Advocate for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Bhupinder Singh, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.174 dated 06.09.2018, registered under Sections 323, 452, 365, 148, 149 of the Indian Penal Code (in short 'IPC') at Police Station City Phagwara, District Kapurthala.

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.

(ARVIND SINGH SANGWAN)
JUDGE

29.01.2019

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No