

CRM-M-51494-2018

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

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Date of Decision: 11.02.2019

Onkar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sarju Puri, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Jagatpal Singh, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.13 dated 04.07.2010, registered at Police Station Mukandpur, District SBS Nagar, under Sections 452, 323, 324, 427, 506, 450 and 34 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

Complainant has also appeared through his counsel.

I have heard learned counsel for the parties as well as learned

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State counsel and gone through the record.

From the record, I find that FIR, in the present case, was got registered by one Jagdish Singh. As per the prosecution version, when the complainant was sitting inside his house, the present petitioner alongwith co-accused entered into his shop and caused simple injuries to him. The present FIR is of the year 2010 and the petitioner is stated to have been declared proclaimed offender in the present case.

Learned counsel for the petitioner submits that earlier also, compromise was there between the parties, but the petitioner had gone to Middle East country and that is why, he has been declared proclaimed offender. He also submits that compromise has already been effected between the petitioner and complainant and a petition for quashing of FIR on the basis of compromise has already been filed.

Learned counsel for the complainant also submits that parties have effected the compromise.

In pursuance of the interim order dated 26.11.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 26.11.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the

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investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

11.02.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No