

CRM-M No.51578 of 2018

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

**CRM-M No.51578 of 2018
Date of Decision: 28.02.2019**

Makhan

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.Rajeev Sharma, Advocate for the petitioner.
Mr.C.L.Pawar, Sr.DAG, Punjab.
Mr.Vikrant Duggal, Advocate for respondent no.2.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C') for issuance of direction to the Investigating Officer / SHO to grant pre arrest bail to the petitioner in case FIR No.0122 dated 20.06.2018, under Sections 148, 149 and 336 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Moti Nagar, Ludhiana, Punjab.

This court passed the following order on 21.01.2019:-

“Learned counsel for the petitioner as well as learned counsel for respondent No.2 have acknowledged the factum of compromise between the parties, but this Court will not comment about the illegality and validity of the same.

Learned State counsel seeks some time to verify the factum of compromise entered into between the parties, if any.

Adjourned to 13.02.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigation Officer. In event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by

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all the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned State Counsel, on instructions from ASI Rajinder Pal has acknowledged that in terms of the previous order the petitioner has joined the investigation and his custodial interrogation is no longer required in this case.

In view of above, the interim order dated 21.01.2019 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

28.02.2019

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No