

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

CRM-M-25239-2019 (O&M)

Date of decision: 08.08.2019

Hargunpreet Singh and another

...Petitioners

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- None.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-20173-2019

For the reasons stated in the application, the same is allowed.

Amended memo of parties is taken on record.

CRM-M-25239-2019

The petitioners pray for grant of anticipatory bail in FIR No. 17 dated 20.03.2016, registered under Sections 307, 392, 427, 506, 148, 149 of the IPC and Sections 25, 27 of the Arms Act at Police Station Rureke Kalan, District Barnala.

Vide order dated 16.07.2019, while granting interim anticipatory bail to the petitioners, the following order was passed:

“Learned counsel for the petitioners submits that as per allegations in the FIR, the petitioners have only fired in the air. Learned counsel relies upon the order dated 02.09.2016 passed in CRM-M-29659-2016, vide which anticipatory bail was granted to co-accused Hardev Singh @ Dev. Learned counsel for the complainant has produced an affidavit of complainant

Ramanjot Singh in the Court, in which it is stated that a compromise is effected between the parties on 18.03.2017, which is correct. Learned State counsel, on instructions from ASI Gurmail Singh, has not disputed the factual position and submits that the police has no information about the compromise. It is further submitted that no proceedings for declaring the petitioners as proclaimed offenders are pending.

List again on 08.08.2019.”

The Bar is on strike for the last about twelve days and there is no appearance on either of the parties.

Since the petitioners were granted concession of interim anticipatory bail on the basis of the affidavit filed by complainant Ramanjot Singh, wherein he has stated that a compromise has been effected between the parties, the present petition is allowed and the interim bail granted to the petitioners, vide order dated 16.07.2019, is made absolute subject to the condition that if the petitioners are required for further investigation, they will appear before the Investigating Officer on the notice given by him and the petitioners will also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

However, it is made clear that in case the petitioners are found misusing the concession of anticipatory bail, it will be open for the prosecution/complainant to apply for recalling of the order.

08.08.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No