

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-27179 of 2019

Date of Decision: November 18, 2019

Balwinder Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Samrit Gill, Advocate for
Mr. Deepak Arora, Advocate, for the petitioner.
Mr. Ramdeep Pratap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.71 dated 01.12.2018 under Sections 452, 324, 323, 148, 149 of the Indian Penal Code (Section 326 of IPC added later on) registered at Police Station Purana Shalla, District Gurdaspur. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner contends that a compromise has also been arrived at between the parties. He has invited the attention of the Court to the order dated 21.06.2019 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Petitioner prays for grant of anticipatory bail in FIR No.71 dated 01.12.2018 registered under Sections 452/324/323/148/149 of the Indian Penal Code and Section 326 IPC added later on, at Police Station Purana Shalla, District Gurdaspur.

Learned counsel for the petitioner contends that the parties are closely related and the dispute between the parties has already been settled on 22.02.2019 vide Annexure P-3. He has further relied

*upon orders passed by a Co-ordinate Bench in CRM-M-60-2019 titled as **Lovedeep Singh @ Lovepreet Singh vs. State of Punjab** and CRM-M-371-2019 titled as **Manpreet Singh vs. State of Punjab**.*

Notice of motion for 02.08.2019. On asking of the Court, Mr. Shireesh Gupta, Sr. DAG, Punjab, accepts notice on behalf of the State. A copy of the petition be handed over to Mr. Shireesh Gupta, Sr. DAG, Punjab, during the course of the day. In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.'

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Mohan Lal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Mohan Lal further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 21.06.2019 is made absolute.

November 18, 2019
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[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No