

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRM-M-27653 of 2019 (O&M)
Date of decision: 03.07.2019

Balwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vikram Preet Arora, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Although, petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail is not maintainable, however, on the oral request of learned counsel for the petitioner, this petition is treated as one under Section 482 of the Code of Criminal Procedure.

Learned counsel for the petitioner contends that after FIR was registered on 01.04.2015, the parties had entered into a settlement and statement of the victim to that effect was recorded by the Court on 20.07.2015 to the effect that the settlement has been arrived at and since the offence is compoundable, therefore, there is no objection to release the petitioner on bail. He further submits that the petitioner remained under the impression that he has been discharged and therefore, stopped appearing and shifted to Delhi. It was for this reason that he was declared proclaimed person on 03.06.2016. Learned counsel for the petitioner further submits that the petitioner is ready to appear before the trial Court and furnish fresh bail bonds.

Keeping in view the statement recorded on 20.07.2015, it appears that the dispute between the parties stand settled.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh Tinna, Addl. AG, Punjab, accepts notice on behalf of the State of Punjab. A copy of the paper book be handed over to learned State counsel during course of the day.

In the meantime, the petitioner is directed to appear before the trial Court within two weeks and furnish fresh bail bonds to the satisfaction of the Court. If such bail bonds are furnished, the trial Court would release the petitioner on bail.

Keeping in view the assertions made, this petition is disposed of.

03.07.2019
D.Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No