

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-39002 of 2019
Date of Decision: November 04, 2019.

Kulwinder Singh @ Johny and anotherPetitioners

versus

State of PunjabRespondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: None for the petitioners.

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Anil Kshetarpal, J. (Oral)

On 19.09.2019, the following order was passed:-

“Petitioners pray for pre-arrest bail in FIR No.5 dated 10.01.2019, registered under Sections 323, 324, 307, 148, 149, 427 IPC and Section 25 of the Arms Act, at Police Station Model Town, Ludhiana.

On 13.09.2019, learned counsel appearing for the State of Punjab was requested to get the complete information and assist.

Learned State counsel, on instructions from SI Balkar Singh, has submitted that no doubt parties have settled their dispute by way of settlement (Annexure P-2), however, the crime alleged against the petitioners is heinous. On a pointing question, learned State counsel submits that the petitioners are not attributed to have caused any injury though they used the firearm.

Notice of motion for 04.11.2019.

On the asking of the Court, Mr.S.P.S.Tinna, learned Additional Advocate General, Punjab accepts notice on behalf of the State.

Let a copy of the petition be handed-over to the learned State counsel during the course of day.

In the meantime, in the event of arrest, the petitioners

shall be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

SI Balkar Singh, Investigating Officer present in Court, has submitted that the petitioners have joined the investigation and cooperated and they are not required for further custodial interrogation at this stage. He has further submitted that the parties have entered into a compromise to settle the dispute.

In view of the above, the interim order dated 19.09.2019 is made absolute subject to the provisions of Section 438(2) Cr.P.C.

However, it is clarified that the petitioners shall continue to cooperate with the trial Court and shall not seek any unnecessary adjournment.

The petition stands disposed of.

November 04, 2019
mohinder

(ANIL KSHETARPAL)
JUDGE

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