

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-61633 of 2018

.....

Date of decision:13.02.2019

Johnny

...Petitioner

v.

State of Haryana and another

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sunny Bhardwaj, Advocate for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana
for the respondent-State.

Mr. Narender Kaajla, Advocate for respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.189 dated 16.9.2017 registered for the offences under Sections 420, 406, 467, 468, 471, 120-B and 201 IPC at Police Station Bass, District Hisar.

Notice of motion has been issued in this case.

Mr. Tanuj Sharma, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and Mr. Narender Kaajla, learned Advocate has appeared for respondent No.2 and contested this petition.

I have heard learned counsel for the parties and learned State

counsel and have gone through the record.

From the record, I find that in the present case, the FIR has been quashed qua co-accused, namely, Gulshan on the basis of compromise. The present petitioner is not named in the FIR. Though, it is stated by learned counsel for the petitioner that as the complainant has entered into compromise with the main accused and the matter has been settled fully, therefore, the petitioner is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case and in view of the fact that the complainant has already compromised the matter with the co-accused and has also got quashed the FIR qua him, I find that no useful purpose will be served by sending the petitioner to custody.

In the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

February 13, 2019.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No