

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

CRM-M-16324-2020 (O&M)

Date of decision : 18.12.2020

KARAN DHIR

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Rajat Dogra, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

On 24.06.2020, the following order was passed:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail in FIR No.0058 dated 18.03.2020 registered under Sections 307, 379-B, 427 of Indian Penal Code, 1860 at Police Station Sultanpur Lodhi, District Kapurthala.

It has been contended by learned counsel for the petitioner that compromise (annexure P-2) has been effected between the parties and that the complainant does not want to initiate any proceedings against the petitioner in view of the said compromise.

Notice of motion.

On the asking of the Court, Ms.MonikaJalota, DAG, Punjab has joined the session through Video Conferencing and accepts notice. A complete copy of the petition stands already furnished to the learned DAG. She states that she has no instructions regarding the compromise.

Let notice be also issued to the complainant- Sukhdev Kumar Sharma S/o Mukesh Kumar Sharma, R/o Mohalla Sikhan, Sultanpur Lodhi, Kapurthala, Punjab for 09.09.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.

Learned counsel for the petitioner has contended that the petitioner has since joined investigation and further that there is no offence made out under Section 307 in the present case since there are neither any allegations regarding the intention to kill nor any injury is attributed to the present petitioner.

Learned counsel appearing for the complainant has also stated that this is not a case where any injury has been received by the complainant. He further reiterates that parties have since compromised the matter.

Learned counsel for the State, on instructions from ASI-Rajinder Kumar, has stated that the petitioner has since joined investigation and has cooperated and is no longer required for further investigation at this stage.

In view of the above, the order dated 24.06.2020 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed off accordingly.

December 18, 2020

Kv

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No