

S.No.103

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

CRM-M-18524 of 2020 (O&M)

Date of Decision:14.07.2020

Sukhwinder Singh and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Amandeep Singh Manaise, Advocate
for the petitioners.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in cross case bearing GD No.25 dated 04.04.2020 registered under Sections 323, 324, 148, 149 IPC (Section 326 IPC added later on) at Police Station Dorangla, District Gurdaspur in FIR No.24 dated 03.04.2020 registered under Sections 323, 324, 341, 34 IPC at Police Station Dorangla, District Gurdaspur.

It is contended by counsel for the petitioners that the case against the petitioners has resulted from a misunderstanding between two real brothers. Otherwise also, its a case of version and cross-version. However, since the dispute is between two brothers, therefore, with the intervention of the respectables and elderly members of the village, the matter has amicably been settled. Both the sides have agreed to get the cases against each other finished.

Notice of motion.

Mr. Sidakmeet Sandhu, AAG, Punjab, accepts notice on

behalf of the State.

Learned State Counsel, on instructions from ASI Bhupender Singh submits that the injuries attributed to the petitioners are grievous in nature. The compromise, if any, between the parties was without permission of the Court, therefore, the Court is not supposed to take into consideration the same. However, it is not disputed that both the sides are real brothers and they have arrived at an understanding to finish the entire dispute between them.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail subject to their furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that 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.

July 14, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No