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

CRM-M No. 29544 of 2020
Date of Decision: 02.11.2020

Nirmal Singh and another

-Petitioners

Versus

State of Punjab and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Param Preet Singh Brar, Advocate,
for the petitioners.

Mr. Amit Mehta, Sr. D.A.G., Punjab.

Mr. Ramandeep Singh, Advocate,
for respondent No.2-complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through
video-conferencing.

Petitioners seek grant of anticipatory bail under
Section 438 Cr.P.C. in cross case bearing rapat No.33 dated
07.05.2016 under Sections 323, 34 IPC (Offence under Section
326 IPC added later on vide DDR No.25 dated 17.06.2016) in
FIR No.65 dated 30.06.2016 registered under Sections 325, 323
and 149 IPC at Police Station Jaitu, District Faridkot.

On 24.09.2020, following order was passed:-

“By way of the present petition, the petitioners have approached this Court for seeking pre-arrest bail in the cross case lodged vide Rapat (DDR) No.33 dated 07.05.2016 under Section 323 read with Section 34 IPC (wherein the offence under Section 326 IPC is stated to have been added later on) in FIR No.65 dated 30.06.2016 registered at Police Station Jaitu, District Faridkot, under Sections 325, 323 and 149 IPC.

Learned counsel for the petitioners submits that the main case, out of which the present cross case has arisen, had been registered at the instance of petitioner No.2 vide the aforesaid FIR. He further submits that both the parties in this case have already arrived at a compromise and they belong to the same village and moreover, the offence under Section 326 IPC has been added after more than one year of the registration of the cross-version.

Notice of motion.

Mr. Saurav Khurana, DAG, Punjab, who has joined the proceedings in pursuance of the advance copy of the petition having been sent to the respondent, accepts notice on behalf of the respondent-State.

Mr. Ramandeep Singh, Advocate has also joined the proceedings as counsel for respondent No.2-complainant and his power of attorney, as received through e-mail, is taken on the record. He confirms the factum of the

compromise having been arrived at between the parties in the present case.

Adjourned to 02.11.2020.

However, in the meanwhile, in the event of their arrest, both the petitioners shall be released on ad-interim bail subject to their furnishing the requisite bail bonds in the sum of Rs.50,000/- with one surety in the like amount each to the satisfaction of the Arresting Officer.

However, both the petitioners shall join the investigation as and when required to do so and they shall also abide by all the conditions as laid down in Section 438(2), Cr.P.C.”

Learned State counsel on instructions from ASI Gurminder Singh states that the petitioners have joined the investigation and they are no more required in further investigation of the case.

In view of above, order dated 24.09.2020 is hereby made absolute.

However, the petitioners shall keep on joining the investigation as and when required to do so by the Investigating Officer.

November 02, 2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No