

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

CRM-M-35477-2020

Date of decision:01.12.2020

Harminder Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bikramjit Singh Baath, Advocate for the petitioner.

Mr. Mehardeep Singh Dullat, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in cross-case registered vide GD No.041 dated 08.05.2020, under Sections 324, 323, 188, 269, 270, 148, 149 IPC and Section 51 of the Disaster Management Act, 2005 and Section 326 IPC (added later on vide GD No.021 dated 09.5.2020) in FIR No.73 dated 08.05.2020 under Sections 341,323,342,427,188,269,270,109,148,149 IPC and Section 51 of the Disaster Management Act, 2005, registered at Police Station P.S.Nakodar Sadar, District Jalandhar Rural.

Learned counsel for the petitioner contends that the dispute is between the two brothers and the petitioner is seeking anticipatory bail in a cross case. Civil litigation is also pending between the parties. It is also pointed out that the matter stands compromised between the petitioner and the complainant. As per the compromise, Balbir Singh, author of the cross case, will pay Rs.85,000/- to his brother Gurdev Singh. Both the parties

have got partitioned the land in dispute and the compromise dated 01.09.2020 has duly been signed by the respectables and the members of the Gram Panchayat.

Learned State counsel, on the instructions from ASI Harvinder Singh, has not disputed the fact that the compromise has been effected between the two brothers.

I have heard learned counsel for the parties.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

01.12.2020

ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No