

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

207

Date of Decision: 28.1.2020

CRM-M No.33947 of 2019

Binder Singh & Anr.

.....Petitioners

Vs

State of Punjab

.....Respondent

CRM-M No.33960 of 2019

Sukhdeep Singh @ Chain & Anr.

.....Petitioners

Vs

State of Punjab

.....Respondent

CRM-M No.43818 of 2019

Sikander Singh & Anr.

.....Petitioners

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Hitesh Kumar Sammi, Advocate
for the petitioners.

Mr.Ramandeep Sandhu, Sr.DAG.Punjab.

Mr.Rahul Sharma, Advocate
for complainant Gursewak Singh.

Mr.MJS Bedi, Advocate
for complainant Prabhjot Singh.

RAJ MOHAN SINGH, J. (Oral)

By this common order, CRM-M No.33947 and 33960 and 43818 of 2019 are being disposed of.

Prayer made in these petitions is for grant of concession of anticipatory bail in case bearing FIR No. 90 dated 29.5.2019 under Sections 324/ 323/ 341/ 506/ 427/ 148/ 149 IPC and Sections 326/ 452 IPC (added later on) registered at Police Station Punjab Agriculture University, Ludhiana.

The bona fide of the parties in the context of compromise by tendering apology on behalf of the accused side has to be appreciated in the light of observations made by this Court in the order dated 27.11.2019.

Learned counsel for the petitioners states that on 6.11.2019 it was submitted by all the petitioners including the author of the cross-version to the present FIR i.e. Kiranjit Kaur that they were ready to give a written apology to the complainant party.

Learned counsel appearing on behalf of the complainant also submitted that the same would satisfy the grievance of the complainant.

On 27.11.2019, affidavits of seven persons i.e. six petitioners in all the three petitions as also of Kiranjit Kaur were submitted in the Court with sworn depositions that they have sought unqualified apology for any lapse on their part. However,

the complainant, Gursewak Singh, who had received injuries falling under Section 323 IPC did not come forward to accept the apology tendered by the accused party.

In CRM-M No.1342 of 2020 titled Amarjot Singh Grewal @ Kullu and others vs. State of Punjab and others, the complainant party has come forward for quashing of cross-version arising out of DDR No.002 dated 30.5.2019 under Sections 323, 341, 324, 506, 427, 148 and 149 IPC. The factum of Gursewak Singh being not interested in compromise in FIR case as well as in cross-version was duly noticed, while issuing notice of motion on 24.1.2020 and the matter was referred to Illaqa Magistrate/ trial Court for recording the statements of the parties in the context of genuineness of the compromise in question.

Learned State counsel, on instructions from, ASI Ajit Singh, states that the petitioners, in CRM-M Nos. CRM-M No.33947 and 33960 of 2019, have joined the investigation and they are no more required in any further investigation of the case.

Petitioners in CRM-M No.43818 of 2019 have not joined the investigation.

In view of aforesaid position, ad interim anticipatory bail granted to the petitioners vide order dated 22.8.2019 in CRM-M No.33947 and 33960 of 2019 is made absolute.

However, the petitioners shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

In CRM-M No.43818 of 2019, the petitioners are directed to join investigation. In the event of their appearance before the Investigating Officer, they shall be granted bail on their furnishing adequate bail bonds/ surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

(i) that the petitioners shall make themselves available for interrogation before the Investigating Officer as and when required;

(ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioners shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Petitions stand disposed of accordingly.

January 28, 2020
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned **Yes/No**
Whether reportable **Yes/No**