

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

CRM-M-47984-2019

Date of decision-14.01.2020

Rajeev Mittal

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. G.S.Verma, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.243 dated 18.09.2019 under Sections 452, 323, 506 and 148 read with Section 149 of Indian Penal Code, 1860 registered at Police Station Moti Nagar, District Ludhiana. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.11.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The petitioner is seeking anticipatory bail in FIR No. 243 dated 18.09.2019, under Sections 452, 323, 506, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Moti Nagar, District Ludhiana. Learned counsel for the petitioner contends that the FIR is the outcome of a sudden quarrel between the parties who have adjoining shops. He also contends that with the

intervention of the respectables, the matter has now been compromised. He also contends that a petition for quashing the FIR on the basis of compromise has also been preferred. He further contends that the injury which is attributed to the petitioner is on the shoulder of the complainant which has been found to be simple in nature. Issue notice to the respondents returnable on 06.12.2019. In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Ranjit Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Ranjit Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.11.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

14.01.2020

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No