

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

**CRM-M-663-2021 (O&M)
Date of decision: 15.01.2021**

Sarabjit Singh & others

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. C. S. Singhal, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 56 dated 01.09.2019, registered under Sections 379-B, 506, 323 and 427 of the IPC at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner submits that noticing the fact that there is a compromise between the parties, one of the co-accused, namely Harpreet Singh @ Shera, has already been granted the concession of anticipatory bail, vide order dated 13.07.2020 passed by this Court in CRM-M-18210-2020. The operative part of the order reads as under:

“Learned counsel for the petitioner submits that the matter stands compromised between the parties and the petitioner has already filed a petition bearing CRM-M-45650-2019 seeking quashing of the present FIR on the basis of the compromise, in which notice of motion has been issued.

Learned counsel for the petitioner further submits that the petitioner is a first offender and he is not involved in any other case. It is further submitted that there is no specific allegation against the petitioner in the FIR.

Notice of motion.

Mr. Sidakmeet S. Sandhu, AAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State and does not dispute the factual position. He also submits that petitioner is not involved in any other case.

In view of the above, without commenting anything on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail subject to conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if required, by issuing a written notice in this regard.”

Learned counsel for the petitioners further submits that the present petitioners have also compromised the matter with the complainant; they are the first offenders and are not involved in any other case.

Learned State counsel, on instructions from ASI Paramjit Singh, has not disputed the factual position.

In view of the above, without commenting anything on the merits of the case, the present petition is allowed and the petitioners are granted concession of anticipatory bail subject to conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioners to join investigation, if required, by issuing them a written notice in this regard.

15.01.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No