

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM No. M-2954 of 2021
Date of Decision : 14.09.2021

Vicky @ Virk and another

...Petitioners

Versus

State of Punjab and another

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kulbhushan Raheja, Advocate for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Munish Gulati, Advocate for the complainant.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioners in respect of FIR No. 187, dated 23.10.2020, registered under Sections 365, 367, 323, 341, 34 IPC at Police Station Mamdot, District Ferozepur.

Learned counsel for the petitioners submits that after registration of the FIR, the parties have already entered into a compromise, a copy of which has been attached as Annexure P-2 with this petition. Learned counsel for the petitioners further submits that on the basis of the said compromise, the parties have already filed a petition for quashing of

FIR being CRM No. M-243 of 2021.

Mr. Munish Gulati, Advocate, who appears through video conferencing on behalf of the complainant submits that the parties have compromised their dispute and the complainant has no objection in case the benefit of anticipatory bail is granted to the petitioners.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Vide order dated 17.03.2021 passed by a Co-ordinate Bench of this Court, petitioners were granted anticipatory bail and were directed to join investigation. Order dated 17.03.2021 is as under:-

“Learned counsel for the petitioners has contended that injuries found on person of the complainant are simple in nature and further more the matter has been compromised between the parties. The petitioners are ready and willing to join the investigation and to cooperate with investigating agency. Learned State counsel on instructions from ASI Jitender Singh has stated that the matter has in fact been compromised between the parties and petitioners be directed to join the investigation.

Under such circumstances, the petitioners are directed to join investigation by contacting the Investigating Officer within 7 days from today and render all sort of cooperation. The petitioners have to surrender their Passports before the Investigating Officer, if they have got ones, otherwise to furnish affidavits in that regard. The next date of hearing is fixed as 26.4.2021. If, in the meanwhile, they are arrested, they be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned counsel for the petitioners submits that in view of the order reproduced above, petitioners have joined the investigation.

Learned State counsel, who has also joined the proceedings through video conference, states that in terms of the order of this Court reproduced before, the petitioners have joined the investigation.

Keeping in view the facts and circumstances of the case when parties have already compromised their dispute and a quashing petition has already been filed, the petitioners have made out a case for the grant of anticipatory bail.

In view of the above, the order dated 17.03.2021 granting interim bail to the petitioners is made absolute.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 14, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No