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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.4123 of 2021
Date of Decision:16.07.2021

JAGDEV SINGH @ KALA SINGH **.....Petitioner**

Vs

STATE OF PUNJAB AND ANR **.....Respondent**

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

Present: Mr.Raghav Gulati Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl, A.G. Punjab.

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RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.46 dated 23.04.2016 registered under Sections 382, 148 and 149 IPC, 1860 at Police Station City Malout, District Sri Muktsar Sahib.

FIR relates to 23.04.2016. During the intervening period no effort was made by the prosecution to arrest the petitioner. Even the controversy has been settled between the parties by way of compromise dated 17.05.2019.

Notice of motion was issued on 29.01.2021 to the following effect:-

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"*Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner, while contending that the FIR was registered as far back as 23.04.2016 and since then, no efforts have been made to arrest him. It is argued that in fact, the matter already stood compromised between him and the complainant as per compromise Annexure P-3 on the record. It is also contended that custodial interrogation of the petitioner would not be required at this juncture and he is ready to join the investigation.*

At this stage, Ms. Monika Jalota, DAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent No.1-State.

Similarly, Ms. Sudha, Advocate accepts notice on behalf of complainant/respondent No.2 and submits that the compromise has been duly effected between the parties and she undertakes to file her vakalatnama with the Registry within a week and share the same on the whatsapp group today itself as well.

Adjourned to 16.07.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

(JAISHREE THAKUR)

January 29, 2021 ***JUDGE"***

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Learned counsel for the petitioner submits that in compliance of order dated 29.01.2021, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Sukhdev Singh admits the aforesaid fact and submitted that the petitioner is no more required for further investigation of the

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case.

In view of aforesaid factual position, the interim order dated 29.01.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
*16.07.*2021 **JUDGE**
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No

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