

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-8507-2021

Date of decision:- 27.08.2021

Mandeep Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vipul Goel, Advocate for
Mr. Yogesh Goel, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.140 dated 14.08.2020 under Sections 307, 506, 427, 148 and 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Koom Kalan, District Ludhiana.

On 23.02.2021, this Court passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

At the outset, counsel for the petitioners seeks withdrawal of the petition in so far as petitioner No.1 (Mandeep Singh) is concerned.

Permitted to do so.

Dismissed as withdrawn qua the petitioner No.1.

In so far as, petitioner No.2 (Sukhchain Singh) is concerned, counsel for the petitioners submits that though he has been named in the FIR, but the allegation qua him is of pelting stones and brick bats at the residence of the complainant. Still further, counsel

submits that it is case of no injury. Counsel has referred to the panchayati compromise dated 21.09.2020 (Annexure P-2) to submit that the dispute between the parties has been settled with the intervention of the respectables of village and a petition (CRM-M-37724-2020) for quashing of the FIR on the basis of compromise (Annexure P-2) has been filed in which notice of motion has been issued by this Court and it is pending for 09.03.2021.

Notice of motion.

On asking of the Court, Mr. Harbir Sandhu, AAG, Punjab accepts notice on behalf of the respondent State and Mr. Vishal Dhiman, Advocate accepts notice on behalf of the complainant. He has admitted the factum of compromise effected between the parties.

List on 10.05.2021.

Meanwhile, the petitioner No.2 shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions, from ASI Jasbir Singh submits that the petitioner No.2 has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 23.02.2021 is made absolute qua the petitioner No.2, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

27.08.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No