

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

202/2

**CRM-M-8433-2020 (O&M)
Date of Decision: 20.09.2021**

Arun Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajiv Joshi, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Kuldeep Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.129 dated 25.12.2019 at Police Station Jalandhar Cantt, District Jalandhar, under Sections 323/324/341/148/149 IPC (offence u/s 326 IPC added later on).
2. At the time of issuance of notice of motion, the following order was passed:

“The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No. 129 dated 25.12.2019 registered under Sections 323, 148, 324 and 341 read with Section 149 of the Indian Penal Code, 1860 (for

short 'the IPC') at Police Station Jalandhar Cantt, Jalandhar to which Section 326 of the IPC has been added lateron.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. As per the allegations in the FIR grievous injury was inflicted with the sharp edged weapon on the ring finger of the complainant. All other injuries are simple in nature. The petitioner is ready to join the investigation and his custodial interrogation is not required.

Notice of motion.

On the asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the learned State Counsel, who seeks time to complete his instructions.

Adjourned to 30.04.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.”

3. Learned counsel for the petitioner has submitted that the FIR came be to lodged on account of some misunderstanding, which has now been resolved and the matter stands compromised and in fact a petition for quashing of the FIR on the basis of compromise i.e. CRM-M-15903-2021 has already been filed, wherein the counsel for the complainant has also put in appearance and wherein it has been ordered that the statements of the parties be recorded by the trial Court.
4. Learned State counsel has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.

5. In view of the aforesaid position, wherein the matter is stated to have been compromised and the petitioner has also joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 27.02.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

20.09.2021

VY

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**