

242

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

CRM-M-27091-2018 (O&M)

Date of Decision:14.10.2021

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Kulbhushan Raheja, Advocate
for the petitioner.

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

Mr. Harsh Raheja, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.108 dated 29.04.2018 registered under Sections 307, 506, 341, 148, 149 IPC and Section 25/27 of Arms Act, Police Station Fefozpur, District Ferozpur.

Learned counsel for the petitioner contends that as per the allegations made in the FIR, petitioner open fired from his 12 bore gun which hit on the neck, left arm, right hand, left side of stomach and right leg of the complainant. Resultantly,

complainant fell down. Petitioner again fired a shot which hit on the left bicep of uncle of the complainant namely Sawarn Singh.

Learned counsel for the petitioner submits that it is a case of version and cross-version. Cross-version has also been reported and registered vide Rapat No. 35 dated 29.04.2018. The parties have entered into compromise and police has not taking any step after registration of cross case against the complainant party.

On being asked, learned state counsel submits that as per his instructions, no arrest has been made in the cross case, so far.

Learned Counsel for the complainant also pleads no instructions viz a viz the status of complainant party in cross version.

It is true that quashing on the basis of compromise cannot be permitted at this stage of the case in view of **State of Madhaya Pradesh vs Laxmi Narayan and others 2019 (5) SCC 588.**

In the present case since the parties have entered into some sort of understanding and therefore it is very possible that the complainant party may not come forward to depose in favour of prosecution. Interim protection was granted to the petitioner on 13.07.2018 and since then the petitioner has been appearing before the Investigating Officer regularly and has not misused the concession of interim anticipatory bail, in any manner.

In view of aforesaid factual position, the interim order dated 13.07.2018 is made absolute. Since, challan has not

been presented therefore, 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.

14.10.2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No