

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103/2)

CRM-M-19295 of 2021

Date of Decision: 10.08.2021

Bobee Singh

...Petitioner

Versus

State of Punjab

...Respondent

2)

CRM-M-19614 of 2021 (O&M)

Bhupinder Singh alias Manu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Manuj Nagrath, Advocate,
for the petitioner in both petitions.
Mr. Sidakmeet Singh Sandhu, AAG, Punjab

Amol Rattan Singh, J. (Oral)

Cases heard by way of video conferencing.

CRM-M-19295 of 2021

By this petition, the petitioner seeks the concession of 'pre-arrest bail' upon FIR no.161 having been registered at Police Station Division no.2, Police Commissionerate, Ludhiana, on 23.06.2020, alleging therein the commission of offences punishable under the provisions of Sections 307/324/323/341/427/506/148/149 of the IPC.

Pursuant to the order of this court dated 19.07.2021, today learned State counsel on instructions from Inspector Satpal, submits that the petitioner in this petition has joined investigation and presently at least his custodial interrogation is not required.

That being so, without making any comment on the actual

merits of the case, whatsoever, since the investigating agency itself does not require the custodial interrogation of the petitioner, this petition has in fact been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon him.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he/she would be always at liberty to avail of his/her remedy as per law.

CRM-M-19614 of 2021 (O&M)

By this petition, the petitioner seeks the concession of 'pre-arrest bail' in the context of the same FIR.

Upon query to the learned counsel for the petitioner as to how his case would be same as that of his co-accused, i.e. Bobee Singh, who has been made admitted to bail hereinabove, he submits that though the petitioner has been attributed a *kirpan* blow on Prem Singh, the injury itself was found to be simple in nature and further, that the matter has been compromised with all the injured. A copy of the compromise deed though not placed on record, has been sent to this court by the learned counsel for the petitioner, with him further submitting that in fact the occurrence is a case of a version and a cross version thereto, which is why the matter has been compromised between the parties.

Upon query, learned State counsel on instructions from Inspector Satpal, submit that there is no other criminal case registered

against the petitioner.

That being so, the petitioner is directed to join investigation within one week and upon his doing so, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaqa Magistrate. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

Adjourned to 20.09.2021.

He, as also the complainant and all those injured in the occurrence (in the FIR version), would also appear before the learned Area Magistrate concerned, to record their statements in terms of any compromise reached between them. That Court to satisfy itself with regard to the authenticity of the compromise reached and the fact that it has been arrived at without any kind of undue influence or pressure (as per the assessment of that court), and would thereafter send its report to this Court, before the next date of hearing.

It shall also be stated as to whether there are any other persons

involved in the occurrence (in the FIR version) who are not party to the compromise deed.

A copy of this order be placed on the file of the other connected matter too.

10.08.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No