

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206/2

CRM-M-21091-2020

DATE OF DECISION: 21.12.2021

SUKHWINDER SINGH AND ANR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sultan Singh Gill, Advocate for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Harsimrat Randhawa, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.80 dated 26.03.2019, under Section 447 IPC (Sections 420, 468, 471 IPC added later on), registered at Police Station Sadar Amritsar, District Police Commissionerate Amritsar.

Learned counsel for the petitioners contends that the FIR is an outcome of a monetary dispute which has been settled and the matter has been compromised before the Mediation and Conciliation Centre, Amritsar. He undertakes that the petitioners shall adhere to the terms of the settlement.

A coordinate Bench of this court, on 18.08.2020, had passed the following order:-

“Short reply filed on behalf of respondent-State along with enquiry report dated 09.02.2019 (Annexure R-1) is taken on record.

Learned counsel for the petitioners contends that dispute in the present case is civil in nature and keeping in view the order dated 08.06.2020 (Annexure P-3) passed by this Court in CRM-M-14047-2020, the matter can be amicably resolved.

Notice of motion.

On the asking of the Court, Mr. Sandeep Vermani, Addl.A.G., Punjab, accepts notice on behalf of respondent-State and seeks time to get instructions.

Adjourned to 26.11.2020.

Meanwhile, the petitioners are directed to join the investigation as and when called by the Investigating Officer. In the event of their arrest, they shall be released on bail by the Investigating Officer on their furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438 (2) Cr.P.C:-

- (a) that the petitioners shall make themselves available for interrogation by a police officer as and when required;
- (b) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (c) that the petitioners shall not leave India without the previous permission of the Court;
- (d) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.

Learned State counsel, upon instructions from ASI Hardev Singh, contends that the petitioners have joined investigation.

In view of the above and the petitioners having joined investigation, the order dated 18.08.2020 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

In the event of the petitioners resiling from the compromise, it shall be open to the complainant to prefer an application for cancellation of bail.

(ANUPINDER SINGH GREWAL)
JUDGE

21.12.2021

SwarnjitS

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