

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

243

CRM-M-29505-2020

Date of Decision:06.09.2021

SURJIT SINGH AND ORS

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Jasneet Mehra, Advocate
for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No.116 dated 11.05.2020, registered under Sections 307, 323, 148, 149 IPC, 1860, and Sections 25 and 27 of the Arms Act, 1959, at Police Station Sadar Patti, District Tarn Taran.

On 13.01.2021, this Court passed the following order:-

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

Counsel for the petitioners has urged that the allegations against the petitioners are that they pelted brickbats upon the complainant. He submits that insofar as offence under Section 307 IPC is concerned, the allegation is qua co-accused, Major Singh son of Darshan Singh, who is alleged to have fired from his licensed 12 bore double barrel gun. He further submits that parties have entered into a compromise, which will be placed on record before the next date of hearing.

Mr. Parveen Chauhan, Advocate, who is appearing on behalf of the complainant, admits the factum of compromise between the parties. He further submits that CRM-M-41428-2020 has been filed for quashing of the cross case bearing GD No.017 dated 27.08.2020.

List on 18.05.2021.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

On an application filed by the petitioners, the above reproduced order was modified on 02.03.2021 and the petitioners were directed to furnish bail and surety bonds to the satisfaction of the Trial Court/Duty Magistrate.

Counsel for the petitioners has submitted that a petition (CRM-M-30277-2021) for quashing on the basis of compromise has been filed and is pending before this Court.

Learned State counsel on instructions from SI Nirmal Singh, states that the petitioners have joined the investigation and they are no longer required for custodial interrogation. Order dated 13.01.2021 as modified vide order dated 02.03.2021 is made absolute.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 13.01.2021 as modified vide order dated 02.03.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

06.09.2021
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(SUVIR SEHGAL)
JUDGE

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