

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

CRM-M-42348-2020

Date of decision:01.03.2021

Mangal Das and another

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.S. Jammu, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Ms. Rinky Gupta, Advocate for respondents No.2 to 4.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition under Section 438 Cr.P.C., the petitioners seek anticipatory bail in case bearing FIR No.195 dated 02.09.2019 registered under Sections 323, 324, 452, 307, 148, 149, 506 and 427 IPC, at Police Station Shahkot, District Jalandhar.

Vide order dated 23.02.2021, this Court issued directions not to take coercive action against the petitioners.

Learned State counsel has placed on record the status report by way of an affidavit of Deputy Superintendent of Police, Sub Division Shahkot, Jalandhar. As per the status report, no injury falls within the ambit of Section 307 IPC. Moreover, in the present case, a compromise has been effected between the parties.

Learned counsel for respondents No.2 to 4 does not dispute the factum of the compromise.

I have heard learned counsel for the parties.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioners are directed to join the investigation as and when called upon to do so and if they are sought to be arrested, they shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioners do not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

01.03.2021
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No