

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

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**Date of decision: 15.03.2022
CRM-M-736-2021 (O&M)**

GURDEEP SINGH AND ORS

....Petitioners

Versus

STATE OF PUNJAB

...Respondent

CRM-M-2092-2021 (O&M)

DARBARA SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

Mr. R. K. Kachura, Advocate for
Mr. G.N. Malik, Advocate
for the complainant.

VINOD S. BHARDWAJ. J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This common order shall dispose off the above-mentioned two petitions as both the petitions arise out of same FIR.

Prayer in these petitions filed under Section 438 CrPC is for grant of anticipatory bail to the petitioners in case FIR No.166 dated 08.11.2020 under Sections 323, 380, 427, 447 and 34 of the IPC and Section 3(1) of the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (added later on), registered at Police Station Model Town, District Police Commissionerate Ludhiana.

Learned counsel for the petitioners *inter alia* contends that pursuant to the orders dated 08.01.2021 and 15.01.2021, passed in the respective petitions, the petitioners have joined investigation and are no longer required for investigation of the case. It is further pointed out that during the interregnum the parties have already resolved the dispute amongst themselves and have filed a petition for quashing of the instant FIR bearing CRM-M-53564-2021 on the basis of compromise.

Learned State counsel, on instructions from ASI Balwinder Singh, corroborates the said averment and submits that the custodial interrogation of the petitioners is not required for the purpose of investigation.

Mr. R. K. Kachura, Advocate has appeared on behalf of the complainant and admits the factum of compromise amongst the parties.

Heard learned counsel for the parties.

Since the petitioners have joined the investigation and their custodial interrogation is not required, and in view of the statement made by counsel for the petitioners which stands acknowledged by the complainant as well, the present petitions are allowed and the interim orders dated 08.01.2021 and 15.01.2021 are made absolute.

However, if required, the petitioners shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) CrPC.

(VINOD S. BHARDWAJ)
JUDGE

March 15, 2022
S.Sharma(syr)

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