

107

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

CRM-M-16210-2022

Date of decision : 21.04.2022

Ranjeet Singh @ Ricky

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vishal Mittal, Advocate and
Mr. Digvijay Nagal, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Sanjeev Kumar, Advocate for respondent No.2.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.17 dated 16.02.2022 registered under Sections 336, 506 and 34 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act at Police Station City Jalalabad, District Fazilka, Punjab.

Learned counsel for the petitioner has submitted that the present case is a case of no injury and in the present case, compromise has been effected and as per the compromise deed dated 29.03.2022 (Annexure P-3), the complainant has specifically stated that he has no objection in case, the present FIR is quashed.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of the State and has submitted that he is fully prepared to argue the matter and assist this Court. He has opposed the present petition for grant of anticipatory bail to the petitioner and submitted that as per the allegations levelled in the FIR, the petitioner was carrying pistol and had fired in the air and is specifically involved in the incident.

Mr. Sanjeev Kumar, Advocate appears on behalf of respondent No.2 and has submitted that in the present case, compromise has been effected and the compromise deed dated 29.03.2022 (Annexure P-3) is genuine and the same has been entered into without any coercion or undue influence. It is further submitted that the complainant has no objection in case, the present petition is allowed.

This Court has heard the learned counsel for the parties and has perused the paper book.

A perusal of the file would show that the present case is a case of no injury and the matter has been compromised between the parties and as per the compromise deed dated 29.03.2022 (Annexure P-3), the complainant has specifically stated that he has no objection in case, the FIR is quashed. Learned counsel for the complainant has also reiterated the fact that compromise deed is genuine and bona fide and has been entered into without any coercion or pressure.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and in the event of arrest, the petitioner is granted the concession of anticipatory bail subject to his furnishing personal

bonds and surety to the satisfaction of Arresting/Investigating Officer and the conditions envisaged under Section 438(2) of Cr.P.C. However, the petitioner shall join the investigation as and when called upon to do so.

It is made clear, in case, the petitioner fails to join the investigation or does not cooperate with the investigation, then the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to the petitioner.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

21.04.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No