

In the High Court of Punjab and Haryana at Chandigarh

(103)

CRM-M No. 17517 of 2022

Date of Decision: 28.4.2022

Jaswant Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Kulwant Singh Dhanora, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

Dr. Naresh Kaushik, Advocate
for respondent No. 2

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C., seeking the indulgence of anticipatory bail to the petitioner.

2. In FIR bearing No. 330 of 23.3.2022, registered at Police Station Barwala, District Hisar, an offence constituted under Section 379 IPC, is embodied.

3. The incriminatory role, as assigned to the petitioner herein, in the FIR (supra), is that of his allegedly committing the theft of wheel caps of the car, owned by respondent No. 2-victim.

4. Today, under memo of appearance, Dr. Naresh Kaushik, Advocate, appears on behalf of the victim, who is arrayed as co-respondent No. 2, in the instant petition, and, submits, that a compromise has occurred between the petitioner, and, co-respondent No. 2. The afore made submission

is neither contested by the learned counsel for the petitioner, nor is

contested by the learned State counsel.

5. Therefore, in the light of the afore compromise, occurring inter se the concerned, and, also when it is conjointly stated, at the bar, by the counsels appearing for the contesting litigants concerned, that the allegedly stolen property has been delivered to the respondent-victim, by the petitioner herein. Consequently, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the petitioner, as it would unnecessarily fetter, and, curtail his personal liberty.

6. In sequel, the bail applicant-petitioner is admitted to anticipatory bail, and, in the event of his arrest, he may not be arrested by the investigating officer concerned. However, subject to the bail applicant-petitioner furnishing personal, and, surety bonds in a sum of Rs. 50,000/- each, to the satisfaction of the arresting officer. Furthermore, the bail applicant-petitioner shall also give an undertaking before the arresting officer, that as and when he is summoned through a written Hukamnama, he shall ensure his rendering cooperation to the investigating officer.

7. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

8. The petition is disposed of.

(SURESHWAR THAKUR)
JUDGE

April 28, 2022
Gurpreet

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