

**CRM-M-19236-2021
Date of decision-20.04.2022**

Hoshiar Singh and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Jasminder Singh Thind, Advocate
for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioners have approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.39 dated 31.05.2018 under Section 420/494/120-B of Indian Penal Code, 1860 registered at Police Station Sekhwan, District Batala, who apprehends their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 18.05.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

*“Learned counsel contends that initially the
petitioner No.1 was granted the concession of interim*

pre arrest bail vide order dated 27.08.2018 (Annexure P-3) and the dispute was placed before the Mediation and Conciliation Centre, Gurdaspur for amicable settlement. According to her, the parties arrived at a compromise and on the strength of the same, they filed a petition bearing CRM-M-6983-2019 seeking quashing of the FIR, which is pending. It is pointed out that the application for pre arrest bail was dismissed by Addl. Sessions Judge, Gurdaspur on 31.10.2018 (Annexure P-4) and this fact was not known to the petitioners, as they remained under the impression that on the basis of compromise, the matter has been laid to rest, but the petitioners were declared proclaimed persons vide order dated 12.04.2019 (Annexure P-8). According to her, in the given facts, the custody of the petitioners may not be necessary for any useful purpose and they are willing to surrender before the trial Court to join the proceedings.

Notice of motion for 07.10.2021.

The petitioners shall appear before the learned trial Court on or before 25.05.2021 and upon their appearance, they shall be admitted on interim regular bail subject to their furnishing requisite bail bonds and surety bonds to the satisfaction of the Court.”

Learned counsel for the petitioners states that pursuant to the order dated 18.05.2021, the petitioners submitted themselves before the trial Court on 25.05.2021, and were admitted on interim regular bail.

The above position is not disputed by the learned State counsel.

Considering the above, the petition is allowed and it is ordered that the petitioners shall remain on regular bail and on the same bail

bonds/surety bonds furnished by them before the trial Court on 25.05.2021.

(MANOJ BAJAJ)
JUDGE

20.04.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No