

**CRM-M-25456-2021
Date of decision-18.04.2022**

Divyanjul Nautiyal

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.K. Rohilla, Advocate for
Mr. Ravi Malhotra, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.126 dated 31.08.2016 under Section 307/323/324 and 34 of Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Lalru, District SAS Nagar, who apprehends his arrest at the hands of Police.

On 08.11.2021, this Court had passed the following order:-

“This is a petition that has been filed under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.126, dated 31.08.2016, registered under Sections 307/323/324 and 34 of IPC (Section 326 IPC added lateron) at Police Station Lalru, District SAS Nagar.

Learned counsel for the petitioner herein would contend that the petitioner was falsely implicated in the aforesaid FIR which came to be registered under Sections 307/323/324/34 IPC in which Section 307 IPC has been deleted, however, Section 326 IPC has been included. Counsel would further contend that in fact the parties to the dispute have settled by way of a compromise dated 14.06.2019 and a quashing petition i.e. CRM-M-29047-2019 on the basis of compromise has already been filed.

Reply of the respondent State, dated 24.07.2021, is taken on record. As per the averments made in order dated 31.08.2021, Section 307 IPC stands deleted and in the reply, it is mentioned that Section 326 IPC has been added.

In view of the fact that the matter stands compromised and a quashing petition has already been filed, the petitioner herein is directed to join investigation and present himself before the Investigating Officer on 16.11.2021 at 11.00 AM. On doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

List on 18.04.2022.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Jagtar Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 08.11.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

18.04.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No