

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27354-2022 (O&M)
Date of Decision:-19.9..2022

Baljinder Singh @ Gyani @ Baljinder Singh Rajpoot ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurvinder Singh Aulakh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by SI Major Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No. 56 dated 1.4.2022 under Sections 452, 324, 323, 148, 149 IPC (later on Sections 458/120-B IPC added and Section 452 deleted) at Police Station Kotbhai, District Sri Muktsar Sahib.
2. At the time of issuance of notice of motion on 24.6.2022, the following order was passed :

“Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR. It is submitted that there were 11 accused persons who were named in the FIR and a few unidentified persons. It is further submitted that with the intervention and the process of Court assisted mediation, a settlement dated 27.04.2022 in RC No.135 dated 26.04.2022 (Annexure P-3) came to be recorded before the Mediation and Conciliation Centre, Sri Muktsar Sahib. The said settlement specifically records that the complainant - Kulwinder Singh has unequivocally stated that he does not want to prosecute

the persons named in the FIR and whatever the decision the Hon'ble Court would give in that regard on the basis of my settlement, he would have no objection to the same. It is further submitted that three co-accused have been granted interim bail under Section 438 Cr.P.C. post recording of the above referred settlement.

Notice of motion returnable for 22.08.2022.

Mr. Tanvir Joshi, A.A.G. Punjab, accepts notice on behalf of the respondent-State and seeks time for completing instructions.

In the meanwhile, in case the petitioner is arrested, he be released on interim bail on his furnishing personal bond and surety to the satisfaction of Arresting/Investigating Officer. In case any clarification is required from the petitioner or investigation, he shall cooperate with the investigating officer/agency and join the investigation as and when required. The petitioner shall abide by the conditions specified in Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Major Singh, has informed that although some compromise was effected amongst the parties before the Mediation and Conciliation Center, Muktsar but as of now the complainant does not wish to go ahead with the compromise. It has, however, been informed that pursuant to interim directions issued by this Court the petitioner has since joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner otherwise enjoys a clean record.
4. Having heard the learned counsel and bearing in mind the facts and circumstances of the case and also that the petitioner has already joined investigation and is not required for any custodial interrogation, the present petition is accepted and the interim directions issued by this Court vide order dated 24.6.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so

and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

19.9.2022

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No