

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-39068-2021

Date of decision : 07.02.2022

Gurjot Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr.Sarabjit Singh Cheema, AAG, Punjab.

Mr.Anantpreet Singh, Advocate
for respondent no.2-complainant.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.0218 dated 22.08.2021 registered under Sections 323, 324, 336, 341, 506, 160, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Anaj Mandi, Patiala, District Patiala.

On 20.09.2021, this Court was pleased to pass the following order:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.218 dated 22.08.2021 registered under Sections 323, 324, 336, 341, 506, 160, 148 and 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959 at

Police Station Anaj Mandi, Patiala, District Patiala.

Learned counsel for the petitioner inter alia contends that the present case is a case of version and cross-version and even as per the allegations in the FIR, the petitioner has been alleged to have fired two shots in the air and has inflicted one injury on the right arm, on which learned counsel for petitioner has submitted that the same is simple in nature. It is further submitted that in fact, in the present case, the matter has been compromised and co-accused of the petitioner have already filed a petition for quashing of FIR on the basis of compromise vide CRM-M- 37667-2021 in which, notice of motion has been issued and the same is listed for 01.12.2021.

It has been submitted that even the petitioner is in the process of filing the petition for quashing of FIR on the basis of compromise.

Notice of motion.

On asking of the Court, Mr. V.G. Jauhar, Sr. DAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 01.12.2021.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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. To be heard alongwith CRM-M-37667-2021.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation and even the petition filed under Section 482 Cr.P.C., i.e. CRM-M-37667-2021

allowed vide separate order of even date.

Learned State counsel, on instructions from ASI Ravinder Kumar, has submitted that the petitioner has joined the investigation and has not disputed the fact that the separate petition for quashing the present FIR on the basis of compromise has been allowed vide separate order of even date of this Court.

Keeping in view the above said facts and circumstances and since in the present petition, FIR no.218 dated 22.08.2021 has been quashed on the basis of compromise between the parties in a petition bearing CRM-M-37667-2021 vide separate order of even date, the present petition has become infructuous. Hence, the present petition is disposed of having been rendered infructuous.

(VIKAS BAHL)
JUDGE

February 07, 2022
Davinder Kumar

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