

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-36585-2022
Date of decision : 21.09.2022

Rajnesh Kumar @ Goldy

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Amardeep Singh Gill, Advocate
for the petitioner.

Mr.Tarun Aggarwal, Sr. DAG, Punjab.

Mr.Munish Puri, Advocate
for the complainant.

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.39 dated 17.05.2022 registered under Sections 307, 323, 506, 148, 149 IPC at Police Station Sadar Pathankot, District Pathankot.

On 22.08.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner has submitted that in the present case, the matter has been compromised on 16.08.2022 and has forwarded a copy of compromise deed which is taken on record as Mark A. It is further submitted that in the present case, although, the petitioner has been attributed one grievous injury on the wrist but submits that as per the said compromise, the complainant and victim have stated that they will withdraw their cases filed against each other and necessary steps would be taken for quashing of the present FIR and the complainant party would give statement in favour of the petitioner. It is contended that

although, this Court had dismissed the anticipatory bail of Lalit Kumar @ Lovely vide order dated 05.07.2022 but the compromise has been entered into subsequent to the same.

Notice of motion.

On advance notice, Mr. P.S. Grewal, DAG, Punjab, appears and accepts notice on behalf of the State and Mr. Munish Puri, Advocate appears on behalf of the complainant and has reiterated the facts as stated by the learned counsel for the petitioner.

Adjourned to 21.09.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his 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.

22.08.2022 **(VIKAS BAHL)**
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Pawan Kumar, has submitted that the petitioner has joined investigation and is not required for further investigation.

Learned counsel for the complainant has reiterated the factum of compromise.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 22.08.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation and that the matter has now been compromised, the present petition is allowed and the interim order dated 22.08.2022 is made absolute.

Nothing stated above shall be construed as an expression of

opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

September 21, 2022
Davinder Kumar

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