

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

(Sr. No. 204)

CRM-M No.47074 of 2021

Date of decision : 18.05.2022

Sham Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Rimple Saini, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 216 dated 19.10.2021 registered under Sections 452, 354, 354-B, 509, 506 and 323 IPC at Police Station Dasuya, district Hoshiarpur.

On 10.01.2022, this Court had passed the following order : -

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.216 dated 19.10.2021 under Sections 452, 354, 354B, 509, 506 and 323 IPC registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner submits that due to political enmity between the complainant (who is the Sarpanch of the village) and the petitioner, the FIR in question has been foisted upon the petitioner wherein fabricated allegations have been levelled against him. While inviting the attention of this Court to the allegations levelled in the FIR in question, it has been submitted that it could not be believed that the petitioner would have entered the house

of the complainant in a drunken condition and thereafter inflicted blows with a baseball bat and that too in the presence of all her family members. Learned counsel has submitted that had there been any grain of truth in the allegations levelled, the complainant would have received at least some injuries on her person which was not even the case of the complainant.

Learned counsel further submits that subsequent to the registration of the FIR, the parties had ironed out their differences and amicably settled the dispute between themselves.

On the last date of hearing, the State was put on notice.

Learned State counsel submits that he is not aware about the parties having amicably settled the dispute. However, learned counsel, who has put in appearance on behalf of the complainant and filed his Power of Attorney today, does not dispute the submissions made by the counsel opposite with respect to they having compromised and amicably settled their dispute. He does not oppose the prayer made by the counsel opposite for extending the concession of anticipatory bail to the petitioner.

Adjourned to 18.05.2022.

The petitioner is directed to join investigation as and when required by the Investigating Officer. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. ”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 10.01.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

18.05.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No