

CRM-M-52736-2019

Date of decision: 30.09.2022

GUNJEET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Angad Parmar, Advocate for
Mr. Vivek K. Thakur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No.59 dated 18.03.2016 under Sections 323/354/34 IPC, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar.

On 11.12.2019, the following order was passed:-

“Learned counsel for the petitioner inter alia contends that consequent upon the dispute between the parties, the petitioner-Gunjeet Singh and complainant-Suman, have entered into a compromise and has sought to place reliance on Annexure P-2.

Notice of motion for 23.03.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail to the satisfaction of arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for to do so and he shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that the petitioner has not been named in the FIR. The petitioner has been nominated on the basis of the statement of the co-accused. In pursuance of interim directions, the petitioner has joined the investigation and challan was presented in the absence of the petitioner and he was never admitted on bail at the earlier instance in this case.

Furthermore, the dispute has been amicably settled between the parties and a

compromise Annexure P-2 has been executed.

On instructions from ASI Mohal Lal, learned State counsel has not disputed the aforesaid factual aspects but has submitted that she is not aware of any amicable settlement alleged to have been made between the parties. She further submitted that the petitioner has joined the investigation and his custodial interrogation is not required.

Keeping in view the aforesaid situation, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

In view of the aforesaid submissions, the order dated 11.12.2019, granting interim bail to the petitioner is made absolute.

The petition is allowed.

30.09.2022
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(VIVEK PURI)
JUDGE

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