

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M- 15707 of 2022 (O&M)

Date of Decision:06.02.2023

Tara Rani @ Taro and others

....Petitioners

Versus

State of Punjab and another

.....Respondent

2)

CRM-M-101 of 2022

Tara Rani @ Taro and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Imran A. Ali, Advocate,
for the petitioners in CRM-M-15707-2022.
Mr. Chanakya Batta, Advocate,
for the petitioners in CRM-M-101 of 2022.
Ms. Akshita Chauhan, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

Both the cases are taken up together for final disposal in view of the order dated 04.08.2022 whereby CRM-M-101 of 2022 was directed to be heard alongwith CRM-M-15707 of 2022.

CRM-M- 15707 of 2022

The present second petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.143 dated 22.05.2021, under Sections 307, 452, 324, 323, 34 IPC,

registered at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioners submitted that it was a case of version and cross-version where both the parties had fought with each other and in fact the other party was the aggressor party. He submitted that the police has already completed the investigation and the arrest of the petitioners was stayed by this Court on 07.06.2022 and in pursuance of the aforesaid interim order, all the three petitioners have already joined investigation and they have fully cooperated with the investigation process. He submitted that even otherwise also a compromise has also been effected between the parties and the aforesaid compromise has been annexed as Annexure P-4. He has further submitted that although this is a second successive bail petition for grant of anticipatory bail but now with the change of circumstances wherein not only a compromise has been effected but the police has already completed the investigation and the final report under Section 173 of the Code of Criminal Procedure has been presented to the competent Court and the petitioners have already cooperated with the investigation process and therefore they may be granted the anticipatory bail especially in view of the fact that no recovery is to be effected from the petitioners now.

Ms. Akshita Chauhan, learned DAG, Punjab has stated on instructions from ASI Gurnam Singh who is present in the Court, that it is correct that after the interim order was granted by this Court regarding stay of the arrest of the petitioners, all the three petitioners have joined investigation and they have fully cooperated with the investigation process and they are not required for custodial interrogation. She further submitted that the investigation otherwise has also been completed and the challan has been presented to the competent Court.

I have heard the learned counsel for the parties.

In view of the aforesaid factual position where the police has already completed the investigation and the challan has been presented and in pursuance of the interim order passed by this Court, all the petitioners have already joined investigation and as per learned State counsel, they are not required for custodial interrogation, this Court deems it fit and proper to allow the present petition. Consequently, the present petition is allowed. It is directed that the petitioners shall continue to join the investigation as and when called by the Investigating Officer. In the event of their arrest, they shall be released on interim bail by the Arresting/Investigating officer on their furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438 (2) of the Code of Criminal Procedure.

CRM-M-101 of 2022

The present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.143 dated 22.05.2021, under Sections 307, 452, 324, 323, 34 IPC, registered at Police Station Phillaur, District Jalandhar, on the basis of compromise dated 03.12.2021 (Annexure P-2) arrived at between the parties.

After arguing for some time, the learned counsel for the petitioner has prayed for withdrawal of the present petition.

Dismissed as withdrawn.

(JASGURPREET SINGH PURI)
JUDGE

February 06, 2023

dinesh

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