

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

109

CRM-M-17915-2023

Date of decision : 13.04.2023

Harkewal Singh

Petitioner

V/S

State of Punjab

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Amandeep Chhabra, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.180 dated 14.07.2022 registered under Sections 458, 323, 506, 427, 436, 148 and 149 of the Indian Penal Code, 1860 at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The petitioner has not committed any offence as alleged in the FIR. Even otherwise, the matter has been compromised between the parties. Nothing is to be recovered from the petitioner and his custodial interrogation is not required in the case. The petitioner is already ready and willing to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Joginder Pal Ratra, Senior D.A.G., Punjab, who is present in the Court, accepts notice on behalf of

CRM-M-17915-2023

-2-

the respondent-State and seeks time to complete his instructions.

At this stage, Mr. Vikas Bishnoi, Advocate has put in appearance on behalf of the complainant and filed his memo of appearance which is taken on record.

Learned counsel for the complainant has admitted the factum of compromise and submits that the complainant has no objection if the petitioner is granted anticipatory bail.

I have heard learned counsel for the parties and gone through the record.

Keeping in view the facts and circumstances of the case, particularly the fact that the matter has been compromised between the parties but without commenting upon the merits of the case, the present petition for anticipatory bail is allowed and in the event of arrest, the petitioner shall be released on bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. 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) of the Cr.P.C.

It is made clear, in case the petitioner fails to join the investigation, then the State could be at liberty to move an application for cancellation of the present anticipatory bail granted to the petitioner.

13.04.2023

kothiyal

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No