

2023:PHHC:093829

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-. -

CRM M 35553-2023
Date of Decision 25.07.2023

Deepak Kumar alias Vicky

.....Petitioner

versus

State of Punjab and another

...Respondents

Coram Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Lupil Gupta, Advocate for the petitioner

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Rajbir Sehrawat, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 89 dated 23.06.2023, registered under Section 420 of the Indian Penal Code, at Police Station Sardulgarh, District Mansa (Annexure P-1).

2. It is submitted by counsel for the petitioner that the matter has since been amicably settled between the parties, vide compromise deed dated 30.06.2023 (Annexure P-2). Not only that, the petition qua quashing of the aforesaid FIR on the basis of compromise has also been moved before this Court, in which notice of motion has already been issued. Hence, the petitioner would not be required for investigation any further.

3. Notice of motion.

4. Mr. Sandeep Singh, Additional Advocate General, Punjab along with HC Amrik Singh, P S Sardulgarh, District Moga accepts notice

on behalf of the respondent State. Mr. Rohit Sharma, Advocate has put in appearance and filed his *vakalatnama* on behalf of the complainant.

5. Counsel for the complainant, who is assisting counsel for the State has not disputed the fact that the matter between the parties has since been amicably settled and that the petition qua quashing of the aforesaid FIR has been moved before this Court, in which notice of motion has already been issued.

6. In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal bonds/surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions o as provided under Section 438 (2) Cr.P.C.

(Rajbir Sehrawat)
Judge

July 25, 2023
mohan bimbura

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No