

CRM-M-37537-2023

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**101-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-37537-2023

Date of Decision: 08.08.2023

Babbu alias Pavitar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Prince Sharma, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present first petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.41 dated 24.06.2021 registered under Sections 353, 186 and 332 of the Indian Penal Code, 1860, at Police Station Khem Karan, Tehsil Patti, District Tarn Taran.

2. It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the crime as is alleged against him in the present case. Even the complainant is having no grievance against the petitioner as such. Parties have even decided to get the aforesaid FIR quashed on the basis of compromise. It is further submitted by the counsel for the petitioner that the petitioner is ready to join the investigation and to cooperate with the Investigating Officer as and when called by the police.

3. Notice of motion.

4. Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and vehemently opposed the

petition.

5. At this stage, Mr. Shivam Kamboj, Advocate, has put in appearance on behalf of the complainant.

6. Learned State Counsel, on instructions from ASI Gurnam Singh, has submitted that the petitioner is involved in the crime. Investigation is at the initial stage. Therefore, the petitioner does not deserve any concession of anticipatory bail.

7. However, learned counsel for the complainant has submitted that he does not have any grievance against the petitioner. It is also not disputed by the learned counsel for the complainant that the matter has been amicably settled between the parties and the parties are in process of filing the petition for quashing of the aforesaid FIR on the basis of compromise.

8. In view of the above, but without commenting upon merits of the case, the present petition is disposed of by granting concession of anticipatory bail to the petitioner. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that 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) Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

08.08.2023
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No