

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-44502-2023

Date of Decision:22.11.2023

Pardeep Kumar @ Deepu and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Navjot Kaur, Advocate for
Mr. Avtar Singh Khinda, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab
assisted by ASI Tarsem Singh.

DEEPAK GUPTA, J.(ORAL)

On 06.09.2023, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.38 dated 24.05.2023 registered under Sections 307, 326, 324, 323, 148, 149 of the IPC registered at Police Station Sadar Kapurthala, District Kapurthala.

It is contended by learned counsel that injury attracting Section 307 of the IPC is attributed to co-accused Sandeep and not to any of the petitioners. Still further, it is contended that matter has already been compromised between the parties. Copy of that compromise effected on 06.07.2023 is Annexure P-3. On the basis of said compromise, petitioners have already filed petition bearing No.CRM-M-36601-2023 (O&M) for quashing the FIR along with the subsequent proceedings and vide order dated 31.07.2023 (Annexure P-4) passed by a co-ordinate Bench of this Court, parties have been directed to ask to appear before the Trial Court for getting their statements recorded on 21.08.2023. Learned counsel contends that pursuant to the said order parties have already appeared before the

Trial Court and recorded their statements qua compromise.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent- State.

Adjourned to 22.11.2023.

In the meantime, in case of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioners shall join the investigation as and when so required by the Investigating Officer. They shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. They shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Tarsem Kumar, submits that petitioners have since joined the investigation and are not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 06.09.2023 is hereby made absolute, whereby petitioners were granted interim anticipatory bail.

However, the petitioners shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

November 22, 2023
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No