

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**101**

**CRWP-9759-2022 (O&M)  
Decided on : 12.01.2023**

Sukhmander Singh Sandhu

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

**PRESENT:** Mr. Hasrat Brar, Advocate  
for the petitioner(s).

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**SANJAY VASHISTH, J. (Oral)**

Although petitioners is unable to answer the query put by this Court regarding the status of the anticipatory bail application moved by respondent No. 4, yet Mr. J. S. Arora, DAG, Punjab (State counsel) produces a photocopy of order dated 21.11.2022 passed by learned Additional Sessions Judge, Ferozepur, vide which respondent No. 4-Kulwant Singh has been granted anticipatory bail.

Copy of the said order is taken on record. Registry is directed to tag the same at appropriate place.

In the said order it is clearly mentioned that petitioner himself has given no objection with regard to grant of anticipatory bail to respondent No. 4 on account of compromise effected between them.

Relevant paragraphs No. 5 and 6 of the said order says as under:

*“5. During the proceedings, it has been brought to the knowledge of the court that with the efforts of learned counsel for the complainant and learned counsel for applicant/accused, matter has been settled between the parties and statements of complainant as well as applicant/ accused have been recorded, which are*

*reproduced here under:-*

***“Statement of accused Kulwant Singh son of Tara Singh, resident of village Dheera Patra, Tehsil and District Ferozepur now residing near Bus Stand, Panchkula alongwith counsel Sh. Peter Bhatti Advocate.***

*Stated that I have entered into a compromise with complainant Sukhmander Singh. A separate compromise deed has been executed between me and complainant Sukhmander Singh, which is Annexure A1. I identify my signature over compromise deed which is Annexure A1. I will remain bound by this conditions of the compromise deed.*

***Statement of complainant Sukhmander Singh son of Hoshiar Singh, resident of village Macchiwara, Tehsil Zira, District Ferozepur alongwith counsel Sh. Adish Kumar Advocate.***

*Stated that I have entered into a compromise with accused Kulwant Singh son of Tara Singh and copy of compromise deed is Annexure A1 which bears signatures of both the parties as well as their counsels. I identify my signature over compromise deed which is Annexure A1. I have no objection if bail is granted to the accused as per compromise”.*

*Compromise deed Annexure A1 has been produced on record.*

6. *I have heard both the parties. Since in this case, applicant/accused has already been arrested and then joined in investigation and it was only qua the enhanced offence under section 326 IPC, the present bail application has been filed. As per the investigation officer, the custodial interrogation of the applicant/accused is not required and even complainant has given no objection with regard to the grant of anticipatory bail to the applicant/accused. So, in view of the law laid down by **Hon’ble Supreme Court of India in Pardeep Ram Vs. State of Jharkhand**, the present bail application is allowed. However, it is further directed that the applicant/accused will join in the investigation as and when required by the investigating officer and he will remain bound by the terms and conditions of Section 438 (2) of Cr.P.C. Bail application stands disposed of accordingly. File be consigned to the record room.”*

Learned State counsel on instructions from HC Ranjeet Singh,

further submits that investigation in the present case is yet to be completed

and very soon a report under Section 173 (2) Cr. P.C. would be submitted before the concerned Court.

In view of the fact that respondent No. 4 has already been granted anticipatory bail on the basis of concession given by the petitioner, this Court does not find any reason to entertain the present petition.

Accordingly, present petition stands **dismissed**.

(SANJAY VASHISTH)  
JUDGE

12.01.2023

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|-----------------------------------|---------------|
| <i>Whether speaking/reasoned:</i> | <i>Yes/No</i> |
| <i>Whether Reportable:</i>        | <i>Yes/No</i> |