

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

214

CRM-M-52066-2023 (O&M)

Date of Decision: 07.12.2023

Gurbhinder Singh & Anr.

..... Petitioner(s)

Versus

State of Punjab & Anr.

..... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sanjeet Singh Taank, Advocate for the petitioners.

Mr. Adhiraj Singh Thind, AAG Punjab for respondent No.1.

Mr. Vinay Kumar, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.04/2020 dated 14.01.2020 under Sections 315, 354-B, 323, 34 of the Indian Penal Code, 1860 registered at Police Station Makhu, Tehsil Zira, District Ferozepur.

2. On 20.10.2023, the following order was passed:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.04/2020 dated 14.01.2020 under Sections 315, 354-B, 323, 34 of the Indian Penal Code, 1860 registered at Police Station Makhu, Tehsil Zira, District Ferozepur.

Learned counsel for the petitioners would contend that

the parties have since compromised the matter and petition bearing CRM-M-33264-2020 for quashing of the FIR on the basis of the said compromise has also been filed.

Notice of motion.

On the asking of the Court, Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of respondent No.1-State. Mr. Vinay Kumar, Advocate accepts notice on behalf of respondent No.2.

Learned counsel for respondent No.2 submits that he would have no objection if the petitioners are granted the concession of anticipatory bail in view of the compromise effected between the parties.

Learned counsel for the State, on the instructions from ASI Karam Singh, states that parties have since entered into a compromise and a petition for quashing of the FIR on the basis of the said compromise is pending before this Court. List on 07.12.2023.

To be heard along with CRM-M-33264-2020.

Meanwhile, the petitioners are directed to join investigation as and when called for. In the event of arrest, the petitioners shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioners

shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioners would contend that pursuant to the said order, the petitioners have joined investigation and have fully cooperated.

4. Learned counsel for the State, on instructions from H.C. Balraj Singh has stated that the petitioners have since joined investigation and have fully cooperated and that they are no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 20.10.2023 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

07.12.2023
Deepak Patwal

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO