



201 – 2 cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:- 23.09.2024

(1) CRM-M-3802-2024

GURSHARAN SINGH Vs. ..Petitioner.

STATE OF PUNJAB & ANR. ..Respondents.

(2) CRM-M-6066-2024

KARAN LUTHRA & ANR.Petitioners
Vs.

STATE OF PUNJAB & ANR ...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep Sharma, Advocate for the petitioner
in CRM-M-3802-2024.

Mr. Kuljit Singh Bal, Advocate for the petitioners
in CRM-M-6066-2024.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Gursharan Singh [CRM-M-3802-2024] and
petitioners – Karan Luthra and Jaspal Singh [CRM-M-6066-2024] have



filed instant petitions under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.258 dated 19.08.2023 under Sections 323, 342, 384, 506 and 149 of IPC, registered at Police Station B-Division, District Amritsar, Punjab (Annexure P-1). Both petitions are taken up together with consent of learned counsel for the parties for hearing and decision arising out of the same FIR.

2. As per facts of the case, FIR was registered on the statement of Ranjit Singh who alleged that he was working as jeweller and came in contact with Karan @ Karan Luthra through his brother Gurpreet Singh. Both of them were working in the same jewellery shop. After 7-8 months, Karan Luthra wanted to invest money in the business of gold through him. At the instance of his brother, he agreed to do so. They started sharing profit in the ratio of 50-50 and they continued to work together for months. His brother suggested to return money to Karan Luthra and to work independently. He had gone to Pathankot and Himachal Pradesh for some work. Karan Luthra and his father Gursharan Singh started threatening him. He was forcibly abducted to some unknown place and was tied up. He was told that he could not work with anybody else. They also prepared a video. He asked his father to bring his cheque book and Aadhar Card and accused purchased three stamp papers of Rs.50/- each. They obtained signatures of complainant, his brother and father on some blank papers. His father and brother were allowed to leave whereas he was not permitted to go. He was beaten up. Ultimately, false complaint was filed against him. He was left at Police Station- 'B' Division where after questioning he was allowed to go with his father.



3. Learned counsel for petitioners pointed out that matter has been compromised with the complainant. They have also joined the investigation. On the basis of compromise, they have also filed petition for quashing of FIR No.258 dated 19.08.2023 vide CRM-M-27761-2024 in which direction has been issued for recording their statements as per order dated 29.05.2024. Present petitioners will abide by the orders of this Court.

4. Bail application is opposed by learned counsel representing State. It is pointed out that there are specific serious allegations. Considering gravity of offence, they are not entitled to the concession of anticipatory bail. However, filing of petition for quashing of FIR on the basis of compromise is not disputed.

5. I have considered the aforesaid factual position. Admittedly, matter has been compromised and they have filed petition for quashing of aforesaid FIR by filing petition bearing CRM-M-27761-2024. The parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statements. Since the matter has been compromised, no purpose would be served by sending aforesaid petitioners behind the bars. However, they are ready to join the investigation as and when required. Therefore, without commenting on merits, anticipatory bail applications filed by aforesaid petitioner Gursharan Singh [CRM-M-3802-2024] and petitioners – Karan Luthra and Jaspal Singh [CRM-M-6066-2024] are allowed. In case petitioners are arrested, they be released on bail to the satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioners will join the investigation as and when required.

They will not tamper with or interfere with the investigation and will not



leave the country without prior permission as provided under Section 438
(2) Cr.P.C.

6. Pending miscellaneous application(s), if any, stand disposed of
accordingly.

23.09.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No

(AMARJOT BHATTI)
JUDGE