

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11984-2024
Date of decision: 21.03.2024

Vishal Singh @ Vishal @ Wisal Singh
and another.....Petitioners.

Versus

State of Punjab and others....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Iqbal Deep Singh, Advocate,
for Mr. Rajat Dogra, Advocate,
for the petitioners.

Mr. Ankit Grewal, DAG, Punjab.

Mr. Nishant Sehgal, Advocate,
for respondents No. 2 and 3.

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SANJIV BERRY, J. (ORAL)

1. Short reply dated 21.03.2024, filed in the form of affidavit of Assistant Commissioner of Police, South, Amritsar City, on behalf of respondent No. 1, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. By way of present petition filed under Section 438 Cr.P.C, the petitioners seek anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
84	10.09.2023	307, 148, 149 IPC	Division C, Amritsar, District Amritsar

3. Learned counsel for the petitioners submits that in compliance to the order dated 07.03.2024, the petitioners have joined the investigation.

4. During the course of hearing on 07.03.2024, following order has been passed: -

‘2. Learned counsel for the petitioners, inter alia, contends that the aforesaid case was registered against the petitioners by the complainant, who is their friend. He submits that the petitioners are not facing any other criminal case nor any specific overt act is attributed to them. He further submits that with the intervention of respectables, compromise has been effected between the parties vide Annexure P-2. He submits that the petitioners are ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Harpreet Singh, Addl. A.G., Punjab, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter. Learned State counsel, on instructions from ASI Joginder Singh, submits that no specific overt act is attributed to the petitioners nor they are having any criminal antecedents.

5. Mr. Nishant Sehgal, Advocate, has put in appearance on behalf of respondents No.2 and 3 and filed power of attorney, which is taken on record. He admitted the factum of compromise and further pleaded that since the matter has been compromised between the parties, who happened to be their friends, as such, respondents No.2 and 3 have no objection in case the bail is granted.

6. Adjourned to 21.03.2024.
 7. Reply be filed well before the date fixed with an advance copy to the counsel opposite.
 8. In the meanwhile, the petitioners are hereby directed to join investigation within seven days from today and in the event of their arrest, they are ordered to be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.’
5. Learned State counsel on instructions from SI Ramesh, informs the Court that the petitioners have joined the investigation and are neither required for further investigation nor for any custodial interrogation.
6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners had joined the investigation consequent to the order dated 07.03.2024 passed by this Court, interim bail granted vide order dated 07.03.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

21.03.2024preeti

(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |