

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:012942
CRM-M-49618-2023
Date of Decision: January 31, 2024

Surinder Singh Singal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harlove Singh Rajput and
Mr. Divyanshu Nagpal, Advocates for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab
assisted by ASI Iqbal Singh.

None for the complainant.

DEEPAK GUPTA, J.(Oral)

On 03.10.2023, following order was passed by this Court:-

“The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 121 dated 12.08.2023, registered under Section 307, 379-B, 364, 341, 323, 148, 149, 506 and 120-B of the Indian Penal Code and Sections 25 and 27 of the Arms Act, 1959, at Police Station Jaito, District Faridkot (Annexure P-1).

It has been pointed out by counsel for the petitioner that the case against the petitioner is totally false and concocted. Even as per the story of the prosecution, complainant-Karamveer Singh was sent to the co-accused, namely, Surinder Singh alias Gagni for purchasing of drugs by one Constable Khushwinder Singh. Although the said constable Khushwinder Singh is posted in the same police station, where the FIR in question has been registered, however, still he has not been arrested by the Police so far.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent - State and seeks time to get instructions.

Adjourned to 19.10.2023.

Meanwhile, in the event of arrest, the petitioner be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Thereafter, on 11.12.023, following order was passed:-

“Learned State counsel, on instructions from ASI Gurbant Singh, submits that though the petitioner has joined the investigation as per order dated 03.10.2023 but has not co-operated in the same inasmuch as the pistol used in the crime has not been recovered.

On the other hand, learned counsel for the petitioner submits that matter has already been compromised between the parties. He has placed on record copy of order dated 15.11.2023 passed by the co-ordinate Bench of this Court in CRM-M-57369-2023, in which factum of compromise has been mentioned and on account of amicable settlement, the interim anticipatory bail was granted to co-accused Khushwinder Singh.

Mr. Kanishk, Advocate appears on behalf of complainant and submits that he wants to obtain necessary instructions as to whether compromise has been effected or not.

Adjourned to 31.01.2024.

Interim order to continue.”

Today, nobody is appearing for the complainant. Rather, learned counsel for the petitioner has placed on record the copy of the order dated 15.01.2024 passed in CRM-M-60653-2023, whereby parties were directed to appear before the Trial Court concerned for getting their statements recorded with regard to the compromise effected between them.

2. It has already been noticed that the petitioner has joined the investigation. As such, the order dated 03.10.2023, whereby the petitioner

was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

January 31, 2024
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No