



Sr. No.204

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

**CRM-M-55033-2023 (O&M)
Date of decision: 23rd September 2024**

AMANPetitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Balwan Singh, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab,
assisted by ASI Amrik Singh.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, for grant of anticipatory bail to the petitioner in case FIR No.379 dated 07.10.2021, under Section 306 read with Section 34 IPC, 1860, registered at Police Station Patran, District Patiala (Annexure P-1).
2. On 08.04.2024, the petitioner was directed to join the investigation while passing an order of interim bail to the petitioner.
3. On 19.07.2024, learned counsel for the petitioner made a submission that a compromise has been effected between the parties.
4. The above-said fact has been confirmed by the learned State counsel and reference has been made to the order dated 19.07.2024, wherein, the following facts have been recorded:-

“xxx xxx xxx xxx

Learned State counsel while referring to para No.10 of the above-said status report has informed that during the investigation, the complainant has filed an affidavit before the Investigating Agency



with regard to the fact that the misunderstandings between the parties have been cleared and a settlement has been reached with regard to the role attributed to the petitioner-Aman, co-accused Mangu Ram, Satpal Singh, Naibo on panchayat basis. Copy of the compromise is annexed as Annexure R-1.

xxx xxx xxx xxx”

5. Learned counsel for the petitioner contends that the petitioner has joined investigation in compliance of the aforesaid orders dated 08.04.2024 and 19.07.2024.

6. Learned State counsel, on instructions from ASI Amrik Singh, confirms that the petitioner has joined investigation and also contends that his further custodial interrogation is not required. However, it is contended that the mobile phone of co-accused namely Satpal has not been recovered from the petitioner, since in the FIR it has been mentioned that the said mobile phone was broken by Naibo Kaur (mother of the petitioner).

7. Keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency and in view of the detailed reasons recorded in the order dated 08.04.2024, the present petition is allowed and the order dated 08.04.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

8. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

9. Liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition



stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

10. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

23rd September 2024
simran

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>