

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

**CRM-M-26509-2015**

**Date of Decision: 14.08.2015**

**Kashmir Singh**

**... Petitioner**

**Vs.**

**State of Punjab**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present: Mr. K.S. Kang, Advocate  
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

Mr. Akshay Rana, Advocate  
for the complainant.

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**RAMESHWAR SINGH MALIK, J. (ORAL)**

Petitioner seeks bail pending trial in FIR No.244 dated 21.11.2014 under Section 307 IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Lopoke, District Amritsar Rural.

Learned counsel for the petitioner submits that parties have arrived at an amicable settlement. Based on said compromise, petitioner has filed the quashing petition bearing CRM-M-13894-2015 before this Court which came to be listed on 30.04.2015 and notice of motion was issued for 09.07.2015, directing the parties to appear before the learned Illaqa Magistrate for getting their statements recorded. However, in spite of said material development having taken place, petitioner was illegally arrested on 22.07.2015.

Learned for the State fairly states that in view of the abovesaid fact situation, petitioner should not have been arrested, particularly when cancellation report was prepared in this very FIR at an earlier point of time.

However, because the cancellation report was not approved by the Senior Superintendent of Police, petitioner was put under arrest.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because earlier the cancellation report was prepared and later on parties have arrived at an amicable settlement. This Court is already seized of the matter in abovesaid CRM-M-13894-2015 filed by the petitioner seeking quashing of this very FIR, on the basis of compromise.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

**[ RAMESHWAR SINGH MALIK ]**  
**JUDGE**

14.08.2015  
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