

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

***CRM No.M-7061 of 2016 (O&M)
Date of decision : 01.04.2016***

Amarjit

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.269 dated 05.12.2015, under Sections 323/324/341/506/326/148/149 IPC, registered at Police Station Phillaur, District Jalandhar.

FIR came to be registered on the statement of Loveleen Kumar in relation to an occurrence that took place on 04.12.2015. Allegations in a nutshell are that the complainant was assaulted by the present petitioner as also other co-accused, namely, Harmesh Kumar and Jinder.

Insofar as the present petitioner is concerned, the specific attribution is of having raised a *lalkara* and having given two blows with a spade handle on the back of the complainant.

Petitioner was arrested on 10.01.2016.

Even though, the matter is still under investigation but it would be pertinent to take note of the submissions made by counsel for the petitioner that the matter has since been compromised with the complainant and even a petition under Section 482 Cr.P.C. seeking quashing of the FIR on the basis of compromise has been filed in this Court i.e. CRM No.M-6040 of 2016 and in which notion of motion had been issued and directions were for

the parties to appear before the Illaqa Magistrate for recording of their statements.

It is also the categoric submission made by the counsel that the statement of the complainant in support of the compromise has been recorded on 11.03.2016.

In the light of the facts and circumstances noticed hereinabove, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

Disposed of.

01.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**