

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-14217 of 2017
Date of Decision: 02.05.2017

Harpreet Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 21 dated 18.02.2017 registered for offences punishable under Sections 323, 308, 341 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Bullowal, District Hoshiarpur.

Heard.

Notice of motion.

On asking of the court, Ms. Bhavna Gupta, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that the matter has since been amicably settled with the complainant, who has given affidavit endorsing the factum of compromise.

Learned State counsel submits that injuries caused by the petitioner to complainant were dangerous to life and the offences can

neither be compounded nor proceedings can be quashed as per observations of Apex Court in case of **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466.**

The factum of compromise is relevant at the time of final disposal of the case. The petitioner is not seeking composition of offence or quashing of FIR. However, keeping in view the fact that matter has since been compromised but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Harpreet Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

May 02, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No