

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

CRM No.M-2123-2017 (O&M)

Date of decision: 05.05.2017

Ankush Kumar @ Ashu Arora

..Petitioner(s)

Versus

State of Punjab

..Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Amaninder Preet, Advocate for the petitioner (s).

Mr. R.S. Nain, AAG, Punjab

Jitendra Chauhan, J. (Oral)

CRM-14927-2017

Allowed as prayed for and Annexure P-10 is taken on record,
subject to all just exceptions.

Main Case

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.136 dated 07.09.2016, registered under Sections 307, 323 and 148 read with Section 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station City, Kotkapura, Distt. Faridkot.

It is contended that only simple injury of kick blow to Subhash Kumar has been attributed to the petitioner. He is in custody since 09.10.2016. The learned counsel refers to Annexures P-5 to P-8, statement

of the petitioner along with other accused and the complainant, whereby the compromise effected between the parties, is duly acknowledged by the complainant. He further submits that on the basis of said compromise, a quashing petition i.e. CRM-M-43682-2016 has already been preferred and statement of the parties have been recorded with regard to compromise.

On the other hand, the learned State counsel opposes the present bail petition. However, he fairly admits the factum of compromise.

Heard.

Considering the role of the petitioner that he only gave the kick blow to Subhash Kumar; he is in custody since 09.10.2016; and the compromise effected between the parties, which is proved by the statement (Annexures P-5 to P-8) and acknowledged by the learned State counsel, therefore, no purpose would be served in keeping the petitioner behind the bars.

Accordingly, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

05.05.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No