

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

CRM No. M-43338 of 2016 (O&M)

Date of Decision: 30.03.2017.

Balwinder Singh @ Sammi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Daya Partap Singh Randhawa, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Rajesh Punj, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

CRM No. 10575 of 2017

The application is allowed. Annexures P-6 to P-8 are
taken on record subject to all just exceptions.

Main case

The present petition has been filed under Section 439
the Cr.P.C seeking regular bail in case FIR No.58 dated 31.07.2016
registered under Sections 302, 304, 323 read with Section 34 IPC at
Police Station Maloud, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner contends that there
is delay of 19 days in lodging the FIR. The place of occurrence is the

house of the petitioner. In fact, the complainant party was the aggressor. Complainant, Harjinder Singh did not support the case of prosecution and subsequent, a compromise has been reached between the parties.

Learned counsel for the complainant admits the factum of compromise and the place of occurrence.

Heard.

Considering the fact that earlier the FIR was registered under Sections 304 and 323 read with Section IPC; the injury inflicted by the petitioner is not the cause of death; the parties have compromised the matter and the complainant did not support the case of prosecution; the petitioner is in custody since 20.08.2016, so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

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

30.03.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No