

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-47315 of 2017 (O&M)

Date of Decision: 18.12.2017

Gurpreet Singh @ Goldi

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Abhinav Jain, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.164 dated 06.10.2015 under Sections 323, 148, 149, 425, 379-B, 325 IPC registered at Police Station City Moga, District Moga.

Learned counsel for the petitioner states that the aforesaid matter has been compromised between the parties and accordingly, the complainant namely Jatinder Singh alias Chandi has submitted an affidavit dated 06.07.2017 (Annexure P-3) to the effect that he does not want to proceed further in the matter. The petitioner is in custody since 26.10.2017.

Learned State counsel submits that the State is not aware about the aforesaid compromise, however, the allegation against the petitioner is of causing injury on the person of Jatinder Singh and snatching mobile phone from him.

Having heard learned counsel for the petitioner and considering the fact that the petitioner is in custody since 26.10.2017 and the matter has been compromised between the parties, as per affidavit dated 6.7.2017 (Annexure P-3) submitted by the complainant in support of the aforesaid compromise, I deem it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that in case it is found that no such compromise has been arrived at between the parties, as stated in the affidavit (Annexure P-3), the prosecution shall be at liberty to seek cancellation of bail granted to the petitioner.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

December 18, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No