

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

**Criminal Misc. No. M-18149 of 2018
Date of decision: 14.08.2018**

Sunil Gharu @ Baba

..Petitioner

Versus

The State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab
for the respondent-State.

Mr. Impinder Singh Dhaliwal, Advocate
for the complainant.

Daya Chaudhary, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioner-Sunil Gharu @ Baba in case FIR No.230 dated 21.11.2017 registered under Section 307 read with Section 34 IPC and Sections 25/27/54/59 of the Arms Act, at Police Station City South Moga, District Moga.

Learned counsel for the petitioner submits that on the same set of allegations, co-accused of the petitioner, namely, Balraj Singh, has been released on regular bail by this Court and the role attributed to the present petitioner is also same. Learned counsel further submits that both the injured witnesses have not supported the case of the prosecution and even they have not identified the accused. The petitioner is in custody since 15.02.2018 and the trial may take some time to conclude. Learned counsel

also submits that a compromise has been arrived at between the parties.

Learned State counsel has not disputed the custody period; role attributed to the petitioner as well as recording of statement of both the injured but submits that the compromise arrived at between the parties is not in the knowledge of Investigating Officer.

Learned counsel for the complainant has also affirmed the factum of compromise and submits that the complainant has no objection in case, the petitioner is released on regular bail.

Heard the arguments of learned counsel for the parties and have also perused the contents of FIR as well as other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and the role of the petitioner; the fact that co-accused of the petitioner, namely, Balraj Singh, has been released on regular bail; both the injured witnesses have not supported the case of the prosecution; the petitioner is in custody since 15.02.2018; no purpose would be served by keeping him in custody and the trial may take some time to conclude, this petition is allowed and the petitioner (Sunil Gharu @ Baba) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

14.08.2018
neetu

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes