

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.22147 of 2018 (O&M)
Date of Decision: 30.05.2018.

Avtar Singh

..Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Premjit Singh Hundal, Senior Advocate with
Mr. Dinesh Trehan, Advocate,
for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

RAJ SHEKHAR ATTRI 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.78 dated 16.04.2018, registered for the offences punishable under Sections 341, 148, 149, 506, 323, 325, 308 of Indian Penal Code (for short, "IPC") at Police Station City Kharar, District S.A.S. Nagar, Mohali.

Heard.

Learned counsel for petitioner submits that no specific role/injury has been attributed to the petitioner. It does not find any mention in the FIR that the petitioner was armed with any weapon.

Learned counsel for the petitioner further submits that petitioner has been in custody since 24.04.2018.

With the intervention of the respectable complainant and the injured persons have compromised the matter with the accused vide written compromised deed dated 04.05.2018.

Learned State counsel states that injuries received by the complainant were serious in nature and which has been declared to be dangerous to life. Even his bail application was dismissed on 17.05.2018 by Additional Sessions Judge, SAS Nagar, Mohali on the basis of the said injuries.

Without expressing any opinion on merits of the case and keeping in view the fact that the parties have amicably compromised the matter without any pressure coercion and they do not want proceed against the accused persons. Petitioner is in custody since 24.04.2018 and conclusion of trial will take considerably long time. No useful purpose would be served by keeping the petitioner in custody, the present petition is allowed.

Petitioner-Avtar Singh is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 bonds and surety bonds 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.

30.05.2018
rekha sharma

(RAJ SHEKHAR ATTRI)
JUDGE

whether speaking/reasoned
whether reportable

Yes/No
Yes/No