

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

**Crl. Misc. No.M-28737 of 2018 (O&M)
Date of Decision: July 18, 2018**

Ashish Kumar @ Ashu

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.D.S. Sandhu, Advocate
for the petitioner (s).

SURINDER GUPTA, 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. 168 dated 26.10.2016 registered for the offences punishable under Sections 307, 324, 148, 506, read with Section 149 of Indian Penal Code and 25, 27 of Arms Act, at Police Station Division No.4, District Ludhiana.

Heard.

Notice of motion.

On asking of the court, Ms. Monika Jalota, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Mr. Amandeep Singh, Advocate, who is present in the Court, has put in appearance on behalf of complainant and filed power of attorney.

Learned counsel for the petitioner submits that the matter has since been amicably settled and a petition seeking quashing of the FIR on the basis of compromise by filing CRM-M-26979-2017, which is pending for 13.09.2018.

Learned counsel appearing for the complainant also endorses the submission of learned counsel for the petitioner.

Keeping in view the above fact but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Ashish Kumar @ Ashu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 bond and surety bond 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 prior permission of the Court.

July 18, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***