

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

CRM-M No.48357 of 2017

Date of Decision: 09.08.2018

Amandeep @ Aman @ Amandeep SharmaPetitioner

Versus

State of Punjab ...Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. H.R. Bhardwaj, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

Mr. N.S. Chahal, Advocate
for the complainant.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.61 dated 18.05.2017 registered under Sections 308, 341, 323, 148, 149, 427 of IPC and Sections 379-B and 120-B IPC (added later on) at Police Station City Raikot, Ludhiana during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. As per allegations levelled in the FIR, the petitioner has been shown to have attributed three *kirpan blows* on the head of complainant-Deepak Chand. As per MLR of the complainant, the injuries attributed to the petitioner are injuries No.1, 2 and 3. All three injuries, which have been attributed to the petitioner, have been declared simple in nature. Learned counsel also submits that it is a case of version and cross version as the petitioner himself has received two injuries and injury No.1 has been declared as grievous. Learned counsel further submits

that a compromise has been arrived at between the parties. The petitioner is in custody since 14.08.2017 and no useful purpose would be served by keeping the petitioner behind bars.

Learned State counsel has not disputed the nature of injuries as well as custody period but opposes the submissions made by learned counsel for the petitioner for grant of regular bail to the petitioner.

Learned counsel for the complainant has affirmed the factum of compromise arrived at between the parties as both the parties are neighbours and have also received injuries.

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

Keeping in view the fact that the petitioner is in custody since 14.08.2017 and also that the compromise has been arrived at between the parties and the same has been affirmed by learned counsel for the complainant and that the injuries attributed to the petitioner are simple in nature, the present petition is allowed. The petitioner, namely, Amandeep @ Aman is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

09.08.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No