

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8545-2019 (O&M)
Date of Decision:- 7.5.2019

Bhupinder Singh alias Bhinder and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikas Gupta, Advocate, for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Dilpreet Singh Gandhi, Advocate,
for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (Oral)

1. By way of filing this petition, the petitioners seek grant of anticipatory bail in respect of a case registered vide FIR No.110, dated 11.6.2018, registered at Police Station Sadar Patti, District Tarn Taran, under Sections 307, 324, 323, 148, 149 IPC and Section 25 of Arms Act.
2. Although, this is the second petition filed on behalf of the petitioners, but the learned counsel has informed that in fact there has been a subsequent change of circumstances inasmuch as the parties have now entered into a compromise.

3. Learned counsel for the petitioners has submitted that while Surinder Pal Singh, injured had sustained 4 injuries out of which 3 were caused with blunt edged weapon and one with sharp edged weapon and that the injury caused with the sharp edged weapon was on elbow and has been declared as a 'grievous injury' and that the other injured Balwinder Singh had sustained one injury only which is in the nature of an injury with a sharp edged weapon on left leg which has been declared as grievous injury. It has been submitted that none of the grievous injuries are on any vital part and that in these circumstances Section 307 IPC would not be attracted. It has further been submitted that since the parties in any case have resolved their dispute and have compromised vide compromise deed Annexure P-2, the petitioners may be extended the concession of anticipatory bail.
4. Learned State counsel while opposing the petition has submitted that although the grievous injuries are not on vital parts but since some of the accused were armed with fire arms, therefore, Section 307 IPC would be attracted.
5. Learned counsel representing the complainant has admitted the factum of compromise and has submitted that in fact petition for quashing of the FIR, on the basis of compromise is also pending in this Court.
6. Having regard to the facts and circumstances of the case, more particularly that the parties have entered into a compromise, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated

26.2.2019 are made absolute subject to the condition that the petitioners shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

7. The present petition stands accepted accordingly.

May 7, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No