

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

CRM-M-26059-2019
Date of decision: 05.07.2019

Roshan Singh @ Roshan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Satbir Singh Gill, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 336 dated 13.11.2017, registered under Sections 379-B, 34, 411, 201 of the IPC and Sections 25/54/59 of the Arms Act at Police Station A Division, District Amritsar. The first petition bearing CRM-M-28494-2018 was dismissed on 09.10.2018 with liberty to the petitioner to file afresh after the examination of the complainant.

Learned counsel for the petitioner has placed on record a copy of the order dated 24.05.2019 passed in CRM-M-11092-2019, vide which, a direction has been issued to the trial Court to record the statement of the parties in pursuance to the compromise as counsel for the complainant, on instructions from the complainant, who was present in Court during the course of hearing, had acknowledged that there is compromise between the parties.

Learned counsel for the petitioner submits that the petitioner is

in custody for 01 year, 02 months and 08 days and he is on bail in another FIR.

Learned State counsel, on instructions from ASI Sukhjeet Singh, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the complainant has acknowledged the compromise in the proceedings pending before this Court seeking quashing of the present FIR on the basis of the compromise, the aforesaid condition laid down in order dated 09.10.2018, passed in the first petition, is hereby waived off and accordingly, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

05.07.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No