

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33130-2019 (O&M)
Date of Decision : August 26, 2019

Jaskaran Singh @ Bholu		Petitioner
	Versus	
State of Punjab		Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Satnam Singh Gill, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition for grant of regular bail to the petitioner.

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure in FIR No.63 dated 4.4.2019 for the offence punishable under Sections 307, 427, 148, 149 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Division 'B', Amritsar.

Counsel for the petitioner submits that the co-accused of the petitioner, namely, Maninder Pal Singh @ Shaila, Anterpreet Singh and Tejpreet Singh have already been granted the concession of regular bail vide order(s) dated 26.6.2019, 11.7.2019 and 23.7.2019 passed in CRM-M-27160-2019, CRM-M-28139-2019 and CRM-M-30024-2019, respectively. Counsel for the petitioner has further submitted that while granting the regular bail to Tejpreet Singh in CRM-30024-2019, this Court has noticed the fact that, in fact, the FIR came to be lodged under some mistaken belief and that the misunderstandings have now been resolved and the parties have effected a compromise. The learned counsel, in this

context, has referred to an affidavit (Annexure P-1) furnished by the injured Rajat Kumar, wherein he has categorically deposed that neither any of the accused was seen on the day of occurrence at the spot nor they had fired any shot at him and now the matter has been compromised.

Counsel for the petitioner has further submitted that on the basis of the compromise, CRM-M-33914-2019 has been filed praying for quashing of the FIR on the basis of the compromise. He further submits that the petitioner is in custody since 5.4.2019.

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

Without commenting anything on merits of the case; considering the fact that the petitioner is in custody since 5.4.2019; the appeal is likely to take some time to mature; the petitioner is not involved in any other case and his co-accused have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

August 26, 2019
satish