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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.1305 of 2020
Date of Decision: 20.01.2020

AKASHDEEP SINGH @ AKASH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.D. Sharma, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.79 dated 28.07.2019, registered under Sections 307, 451, 148, 149, 120-B IPC at Police Station Division No.4, Jalandhar.

The FIR was registered at the instance of Maninder Singh @ Monu with the allegations that on 27.07.2019 at about 10.00 p.m., he was present at the shop of his younger paternal uncle Monu Walia, wherein an office was set up. At about 11.15 p.m. Sukhwinder Singh @ Lovely Walia along with some unknown persons came into the shop armed with dattar and

other deadly weapons. Lovely Walia gave a dattar blow on the head which landed at the back side of head of the complainant and he fell down. Remaining unknown persons inflicted injuries with their respective weapons.

It is not in dispute that a compromise was effected between the complainant and main accused namely Sukhwinder Singh Walia and on the basis of which CRM-M No.43452 of 2019 was filed in the High Court for quashing of the FIR on the basis of compromise. This Court vide order dated 21.11.2019 has ordered quashing of the FIR.

Since the petitioner was not arrayed as a party to the earlier compromise, therefore, a subsequent compromise was effected between the complainant and petitioner Akashdeep @ Akash, Jaskaran @ Jakran @ Kannu and Nitin Arora.

Learned counsel for the petitioner submitted that the petitioner is in custody since 14.10.2019.

Learned State counsel on instructions from ASI Gurjeet Singh could not dispute the factum of compromise between the complainant and Sukhwinder Singh Walia and ultimately quashing of FIR in CRM-M No.43452 of 2019 on 21.11.2019. Challan has been presented and charges are yet to be framed.

At this stage, without adverting to the merits of the

case, keeping in view the custody of the petitioner and factum of quashing of FIR at the instance of Sukhwinder Singh Walia and subsequent compromise dated 16.12.2019 with the petitioner and others, I deem it appropriate to grant concession of regular bail to the petitioner.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 20, 2020	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No