

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 1458 of 2020 (O&M)

Date of decision : 27.1.2020

...

Gurnam Singh

.....Petitioner

vs.

State of Punjab and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr.A.S. Manaise, Advocate for the petitioner

Ms. Amarjit Kaur Khurana, Deputy Advocate General,
Punjab.

Mr. Gagandeep Singh Manku, Advocate alongwith
respondent No.-2 – injured-complainant.

...

H. S. Madaan, J. (Oral)

This petition for grant of regular bail has been filed by petitioner – Gurnam Singh, an accused in FIR No. 72 dated 8.11.2019, for offences under Sections 323, 324 34 IPC, with offence under Section 326 IPC added later on, registered at Police Station Kahnuwan, District Gurdaspur.

Briefly stated, facts of the case as per the prosecution story are that on 1.11.2019, complainant Harpreet Singh son of Surjit Singh, resident of village Sooch, Police Station Kahnuwan, an

agriculturist by occupation, had gone to grain market Beri, for getting money from the commission agents. While he was returning home, at about 1 O'clock, in the afternoon, when he was near the house of Gurnam Singh son of Swaran Singh, then said Gurnam Singh armed with a datar, his son Jobanpreet Singh empty handed, were standing outside the gate of their house. On seeing the complainant, Sharanjit Kaur wife of Gurnam Singh raised a lalkara by saying that the complainant be caught hold of since he was quarreling with them for the land. Amritpal Singh son of Gurnam Singh assaulted the complainant, whereas Gurnam Singh gave datar blow to the complainant causing injury to the complainant on left wrist. Jobanpreet Singh gave danda blow, hitting the complainant on back. The complainant raised an alarm, hearing which his father Surjit Singh was attracted to the spot and then all the assailants ran away alongwith their respective weapons. The complainant -injured was taken to the hospital, where he was treated and medico legally examined. On the basis of his statement, formal FIR was registered. Accused Gurnam Singh was arrested in this case on 19.12.2019. He had approached the Courts below for the grant of regular bail, but was unsuccessful there. Therefore, he has come to this court seeking similar relief, by way of filing the present petition for grant of regular bail.

Notice of the petition as given to the State as well as injured. Both of them have put in appearance. Today Harpreet Singh – complainant injured has appeared alongwith his counsel Mr.

Gagandeep Singh Manku. He has furnished affidavit that since parties are closely related to each other and with intervention of the respectables, the matter has been amicably resolved between the parties, vide written compromise dated 7.1.2020. copy of that compromise is available on the file as Annexure P-2. He has contended that he has no objection if regular bail is granted to the petitioner.

The State counsel submits that since the matter has been compromised between the parties, she does not oppose the request for grant of regular bail. It is stated that the case is still at the stage of investigation and the petitioner is in judicial custody.

Considering all the facts and circumstances, the petition is accepted. Petitioner – Gurnam Singh is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Gurdaspur. However, it is made clear that in case the petitioner is found indulging in any criminal act after being granted bail by this Court, this order shall be liable to be withdrawn.

27.1.2020
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned Yes/ No

Whether reportable Yes/ No