

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

Decided on: 28.01.2020

1. CRM-M No.2672 of 2020

Hari Narayan		Petitioner
	Versus	
State of Punjab		Respondent

2. CRM-M No.2674 of 2020

Radhe Shyam		Petitioner
	Versus	
State of Punjab		Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ramneek Vasudeva, Advocate
for the petitioner (in both the petitions)

Mr. A.P.S. Gill, DAG, Punjab.

Mr. Gaurav Soni, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in these petitions is for grant of regular bail to the petitioners namely Hari Narayan and Radhe Shayam under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.88 dated 19.09.2019, for offence punishable under Sections 323, 341, 506, 148, 149 of the Indian Penal Code, 1860 (in short 'IPC') (Section 307 IPC added subsequently) registered at Police Station Sadar Rupnagar, District Rupnagar.

Counsel for the petitioners, at the very outset, has argued that initially the FIR was registered under Sections 323, 341, 506, 148, 149 IPC the petitioners were granted bail, however later on, when Section 307 IPC was added, they were re-arrested. It is further submitted that now the matter has been amicably settled between the

complainant – Geeta Devi and the injured – Des Raj and they have even got their statements recorded on 08.01.2020 before the Additional Sessions Judge, Rupnagar/the trial Court that they have entered into a compromise. Copy of the same are already on record as Annexures P-2 and P-3. It is further submitted that the petitioners are not involved in any other case.

Counsel for the State, on instructions from SI Balbir Singh, has filed the Custody Certificate today in the Court and has not disputed the factual position but opposed the prayer for bail.

Counsel for the complainant has also acknowledged the fact that there is a compromise between the parties.

Without commenting anything on merits of the case, considering the fact that the petitioners are not involved in any other case; the dispute has already been settled between the parties; the petitioners are in custody for the last 02 months and 12 days, these petitions are allowed and the petitioners namely Hari Narayan and Radhe Shyam are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

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

(ARVIND SINGH SANGWAN)
JUDGE

28.01.2020
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No