

CRM-M-8547-2020 (O&M)

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

**CRM-M-8547-2020 (O&M).
Decided on: March 05, 2020.**

Balwinder Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.J.S.Santwal, Advocate,
for the petitioner.**

Mr.Ajay Pal Singh Gill, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short the 'Cr.P.C.'), seeking regular bail in FIR No.112 dated 27.08.2019, under Sections 323, 324, 341, 506,148 and 149 IPC, (Section 307 IPC added later on) registered at Police Station, Nangal, District Rupnagar.

Learned counsel for the petitioner has submitted that in

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the present case the petitioner is in custody since 1.11.2019 and the investigation is already complete. He has further, categorically, submitted that in the present case a compromise has been arrived at between the complainant and the petitioner but the same could not be completed as the petitioner is behind bars. He submits that co-accused of the petitioner namely Paramvir Singh @ Pamma against whom similar allegations have been levelled has already been enlarged on bail vide order dated 17.02.2020, passed in CRM-M-345-2020, and the case of the petitioner is on parity as such, the petitioner be also granted the relief of regular bail.

On the other hand, learned State counsel has submitted that it is a serious offence under Section 307 IPC and the compromise which is being entered into between the petitioner and the complainant is not permissible under the law because it is an offence against the society. However, learned State counsel, on instructions from SI Balvir Kumar, has fairly stated that there is no other case pending against the petitioner and the petitioner is in custody for the last about four months.

I have heard the learned counsel for the petitioner as well as learned State counsel and have gone through the record of the case.

It is not disputed that the petitioner is in custody since 1.11.2014 i.e. for the last about four months and that there is no other case pending against the petitioner. Learned State counsel has also not disputed the fact that the case of the petitioner is on parity with co-accused namely Paramvir Sinmgh @ Pamma, who has already been enlarged on bail.

Without commenting upon the fact whether compromise

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entered into between the petitioner and the complainant is permissible under the law or not, considering the custody period of the petitioner since 1.11.2019 which is about four months and the fact that charges have already been framed and admittedly the petitioner is not involved in any other case and the conclusion of trial may take long time and particularly in view of the fact that it is not the case of the State that in case released on bail then the petitioner may influence the witnesses, I deem it appropriate to admit the petitioner on bail. Consequently, the petition is allowed. It is ordered that the petitioner shall be released on bail on his furnishing bail bond/surety bond to the satisfaction of the trial Court.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

March 05, 2020.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No