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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.17047 of 20 (O&M)

Date of decision: 28.08.2020

Ravinder Singh @ Kali

....Petitioner

Versus

U.T., Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.P. Kaushal, Advocate
for the petitioner.

Mr. Rajeev Anand, APP, U.T., Chandigarh.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.440 dated 11.12.2017 registered under Sections 386, 506, 34 IPC (Sections 364-A, 395 and 201 IPC added later) and 25/54/59 of the Arms Act, at Police Station Sector 36, Chandigarh.

Counsel for the petitioner has argued that the matter of which the present petition is an off-shoot, has been compromised between the parties and even in the petition, seeking quashing of the FIR on the basis of the compromise, the complainant has appeared before the trial Court and made a statement supporting the factum of compromise.

Counsel for the petitioner has also relied upon the orders dated 25.11.2019, 18.12.2019 and 20.12.2019 passed in CRM-M Nos.39706, 52747 and 53904 of 2019, vide which the co-accused of the petitioner namely Kulwinder Singh, Amandeep Singh and Islam, have been granted the concession of regular bail on the basis of the

CASE HEARD THROUGH VIDEO CONFERENCING

compromise arrived at between the parties.

Counsel for the State has not disputed the factum of compromise, however, opposed the prayer for bail on the ground that the petitioner is involved in some other FIR and the case is at the final stage of hearing.

Without commenting anything on merits of the case, considering the fact that the complainant has already made a statement before the trial Court that the matter has been compromised; the co-accused of the petitioner have already been granted the concession of regular bail; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his 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 petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

28.08.2020

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No