

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-17288 of 2020

Date of Decision: 07.08.2020

Arundeeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Amit Arora, Advocate
for the petitioner(s).

Mr. V.G.Jauhar, Senior Deputy Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

The present petition has been filed for grant of regular bail to the petitioner pending trial in a criminal case arising from FIR No. 18 dated 23.03.2019, registered under Sections 323, 324, 341, 506, 148 & 149 IPC (Section 307 IPC was added lateron) at Police Station City Sarai Amanat Khan, District Tarn Taran.

Brief facts of the case have been noticed by the learned Additional Sessions Judge, Tarn Taran in the following manner:-

“As per records, the FIR in the case is shown to have been registered on the basis of statement made by complainant Dharminster Singh who had claimed having two number injuries on his head at the hands of accused-applicant Arundeeep Singh and the said two injuries caused with sharp edged weapon (Datar) were lateron declared to be dangerous

to life on the basis of which the offence under Section 307 IPC happened to be invoked in the case. At the time of occurrence, accused Narain Singh was allegedly armed with a Datar, accused Akashdeep Singh was empty handed, accused Mandeep Singh was allegedly armed with baseball stick, Baljit Kaur was empty handed, accused Principal Singh also allegedly armed with a Datar and accused Lovepreet Singh was armed with a Kahi and the injuries attributed to these accused-applicants were found to be simple in nature”.

Learned counsel for the petitioner contends that the petitioner is in custody since 12.01.2020 and on conclusion of the investigation, the police report under Section 173 Cr.P.C. has already been filed in the trial Court, however, the trial is yet to commence. He further submits that the parties have entered into a settlement and filed a petition under Section 482 Cr.P.C. for quashing of the FIR on the basis thereof. He further submits that the first informant has already suffered a statement to this effect before the learned trial Court.

Keeping in view the aforesaid facts of the case and without commenting on merits, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(Anil Kshetarpal)
Judge

August 07, 2020
“DK”

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