

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 34775 of 2020

Date of Decision: 30.10.2020

Vishal Chopra alias Rocky

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Veneet Sharma, Advocate
for the petitioners.

Anil Kshetarpal, J.

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No. 116 dated 11.06.2020, registered Section 307, 323, 341, 148 & 149 IPC, at Police Station Mohkampura, Amritsar City, District Amritsar.

As per the case of the prosecution, the petitioner not only gave *lalkara* (*exhort*) but also caused injury a *kirpan* on the right side of the head of the victim.

Learned counsel for the petitioner contends that the parties have now settled the matter.

Notice of motion.

On the request of the Court, Ms. Samina Dhir, Deputy Advocate General, Punjab accepts notice on behalf of the State. Mr. Vivek Goyal, Advocate, appears for the first informant and informed the Court that there is a settlement between the parties.

From the perusal of the order passed by the Sessions Court, it is

apparent that previously the court of sessions, granted an opportunity to the

petitioner to join investigation, however, he did not come forward. In other words, another opportunity is being sought. Even if the parties have entered into settlement, they have no business to waste the time of the Court. In these circumstances, the arrest of the petitioner is stayed subject to payment of costs of ₹ 50,000/-.

Mr. Goyal has stated that a petition for quashing of the FIR on the basis of compromise has been filed in this Court.

Keeping in view the aforesaid facts, arrest of the petitioner shall remained stayed subject to the payment of cost of ₹ 50,000/- to be deposited by him with the “Poor Patients Welfare Fund” of the Post Graduate Institute of Medical Education and Research (PGIMER), Chandigarh, personally or through its website “www.pgimer.edu.in” within a period of ten days from the date of receipt of a copy of this order. Needless to observe that the prosecution shall be at liberty to move an application for modification of the order if the settlement arrived at is not taken to logical end.

With the observations made above, the present petition is disposed of.

(Anil Kshetarpal)
Judge

October 30, 2020

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No