

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

CRM-M-46357-2019(O&M)

Date of Decision:16.01.2020

Deepak Kumar alias Mani

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Sandeep Arora, Advocate
for the petitioner.

Mr.G.S.Rawat, Advocate,
for the complainant.

Mr.B.S.Sewak, Addl.A.G.Punjab.

AMOL RATTAN SINGH, J. (Oral)

By way of this petition the petitioner seeks the concession of bail under the provisions of Section 439 Cr.P.C., upon FIR No.38 dated 04.04.2019 having been registered at Police Station Division No.2, Jalandhar, alleging therein the commission of offences punishable under Sections 307, 324, 341, 506, 148 and 149 IPC.

On 13.12.2019 the following order had been passed by this Court:

“By this application, advancement of the date of hearing in the accompanying petition is sought, which now stands adjourned to 13.2.2020, it having been adjourned to that date on 27.11.2019, with none having appeared for the petitioner as it was well past 4:00 pm on that date, by the time the turn of the case came up for hearing.

Learned counsel for the applicant-petitioner today submits that the matter has been compromised with the

complainant, i.e. the injured person, as per the compromise deed (copy Annexure P-3 with the accompanying petition) and therefore, the applicant-petitioner need not be confined to jail any longer during the pendency of the trial.

Notice in the application.

Mr.A.P.S.Gill, learned DAG, Punjab, accepts notice at the asking of the Court.

Adjourned to 16.1.2020.

Learned State counsel would also obtain details of any criminal case registered against the applicant-petitioner. A copy of this order be given to learned State counsel, under the signatures of the Bench Secretary of this Court.”

Today learned counsel appears for the complainant and does not deny the *factum* of the compromise entered into between the parties.

Upon query, learned State counsel, on instructions from ASI Balwinder Singh, submits that there is no other criminal case registered against the petitioner, who is stated to have been in custody for about 9 months.

Keeping in view the fact that the petitioner has been in custody for about 9 months, with the matter compromised and there being no other criminal case registered against him, without commenting on the merits of the case, the petition is allowed.

The petitioner is ordered to be admitted to bail on furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

Disposed of.

January 16, 2020

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO