

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

251

**CRM-M-16655-2021
Date of decision: 28.04.2021**

SUKHWINDER SINGH @ SUKHDEV SINGH @ SUKHA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Manish Kumar Singla, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab
for the respondent-State.

Mr. Dinesh Kumar, Advocate
for the complainant.

ARUN KUMAR TYAGI, J (ORAL)

*(The case has been taken up for hearing through video
conferencing.)*

The petitioner has filed the present First petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 17 dated 20.02.2021 registered under Sections 307 and 323 read with Section 34 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959 at Police Station Cheema, District Sangrur.

The petitioner being in custody since the date of his arrest has filed the present first petition for grant of regular bail.

Pursuant to advance notice, Mr. Rana Harjasdeep Singh,

DAG, Punjab has appeared on behalf of respondent-State and opposed

the petition. However, no reply has been filed by the respondent-State.

The complainant has also appeared through counsel. However, the complainant has also not filed any reply.

I have heard learned counsel for the petitioner, learned State Counsel and learned counsel for the complainant and have gone through the relevant record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. Both the injuries caused to complainant-Amrik Singh were declared to be simple in nature. Offence under Section 307 of the IPC is not made out. In any case, the parties have compromised and petition for quashing of the FIR on the basis of compromise has been filed which is pending before this Court. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has submitted that in view of the nature of accusation and gravity of offences, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Learned counsel for the complainant has admitted the compromise and submitted that the complainant has no objection if the petitioner is granted regular bail.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, the factum of compromise between the parties and also the fact that trial is likely to take long time due to restrictions imposed to prevent the spread of

infection of Covid-19 but without commenting on the merits of the case, I am inclined to extend the concession of regular bail to the petitioner.

In view of the above, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

28.04.2021
Vishal

(ARUN KUMAR TYAGI)
JUDGE

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