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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.27814 of 2021 (O&M)

Date of decision: 19.07.2021

Parminder Kumar @ Laddi

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Sidhu, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.141 dated 02.04.2021, for offence punishable under Sections 147/148/149/323/506 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station City Mandi Dabwali, District Sirsa.

Counsel for the petitioner has submitted that as per the allegations in the FIR, the complainant Sonu stated that on 31.03.2021, he had gone to take his mobile phone to a shop where he met his friend Karan, who was studying with him and along with him Jiwan Singh, Parminder Singh @ Laddi i.e. the petitioner, and 3/4 other boys were standing there, whose names, he do not know. Jiwan Singh was carrying a sword, Parminder Singh was carrying a stick and when he tried to escape, his friend Jiwan gave 02 blow with his sword on his head and Parminder Singh @ Laddi gave stick blow on his head and back and when he fell down, the other boys gave him fist and kick blows. Thereafter, on raising voice, the accused persons ran away.

Counsel for the petitioner has submitted that the FIR is not clear as to how the incident has taken place as in the first part of the FIR, it is stated that Karan was accompanied by the accused persons

CASE HEARD THROUGH VIDEO CONFERENCING

whereas further in the second part, it is not stated that as to how the dispute occurred wherein the complainant stated that he tried to save his friend because the accused persons were accompanying his friend only. It is further submitted that a compromise has already been effected between the parties and the complainant has given an affidavit that he has compromised the matter with the accused persons.

Counsel for the State has not disputed the factual position but opposed the prayer for bail. It is further submitted that total 05 injuries were sustained by the complainant Sonu, however, he has also not disputed that the complainant has given an affidavit that the matter has been settled between the parties.

Without commenting anything on merits of the case, considering the fact that the matter stood compromised between the parties; 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

19.07.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No