

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

CRM-M-29613-2021 (O&M)

Date of decision: 30.11.2021

Jasvir Singh @ Jagsir Singh Seera and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Buta Singh Bairagi, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No. 55 dated 15.04.2021, registered under Sections 324, 323, 34 of the IPC (Sections 326 and 201 of the IPC added later on) at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioners submits that the petitioners are the real brothers and they are first offenders. It is further submitted that the petitioners are in judicial custody for the last more than 06 months.

Learned counsel further submits that as per allegations in the FIR, petitioner No.1 has given a *daah* blow on the head and arm of the victim, whereas the allegation against petitioner No. 2 is that he has given a daah blow on the right arm of the victim.

Learned counsel further submits that the investigation is complete and the petitioners are no more required for any further custodial

investigation.

Learned counsel further submits that without any prejudice to their right of defence, the petitioners are ready to pay a compensation of Rs. 20,000/- to the victim towards his medical expenses.

Learned State counsel has filed the custody certificate and has not disputed the factual position. It is also not disputed that the charges have been framed.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that the petitioners are in judicial custody for the last more than 06 months; they are not involved in any other case and also in view of the fact that they have volunteered to pay a sum of Rs. 20,000/- to victim Amarjeet Singh towards his medical expenses, the instant petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, this will be subject to a condition that the petitioners, at the time of furnishing bail/surety bonds, will hand over a demand draft of Rs. 20,000/-, favouring complainant/victim Amarjeet Singh.

The payment of aforesaid amount shall not cause any prejudice to the right of defence of the petitioners.

30.11.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No