

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

CRM-M-31861-2021 (O&M)

Date of Decision: 29.10.2021

Shubham Rana

... Petitioner

Versus

State of Punjab

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. B.S. Sra, Advocate for the petitioner.

Mr. SPS Tinna, Additional Advocate General, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This is the 4th petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.0003, dated 04.01.2020, under Sections 307/34 IPC, registered at Police Station Nangal, Rupnagar.

Briefly, it may be noticed that the alleged occurrence took place on 03.01.2020 in which the petitioner is stated to have inflicted a rod blow on the head of Arun. Complainant in this case is the father of the injured/Arun.

Petitioner was arrested on 11.01.2020.

Investigation in the case is complete, challan presented and charges have also been framed.

Learned State counsel informs the Court that out of 12 prosecution witnesses cited, 2 have been examined and 3 have been given up.

On a previous date of hearing, the categorical contention of the counsel representing the petitioner had been noticed that a compromise has since been effected between the parties. Accordingly, hearing had been deferred so as to enable the State to complete instructions.

A reply by way of affidavit of the Deputy Superintendent of Police, Sub Division Anandpur Sahib, District Rupnagar has been placed on record. Appended along with the reply are the documents at Annexure R-1/T and R-2/T i.e. the statements recorded of the injured as also the accused dated 05.05.2021 under Section 161 Cr.P.C. and which prima facie indicate that some kind of compromise has been thrashed out between the parties.

This Court would, however, refrain from making any observations as regards accepting of the settlement/compromise in a matter involving offence under Section 307 IPC.

Petitioner has faced incarceration over a period of almost 20 months.

The trial would take time to conclude.

It is not the case made out on behalf of the State that if benefit of bail is granted to the petitioner, he would be in a position to hamper the course of a free and fair trial.

Petitioner is not stated to be involved in any other case.

Without making any observations on merit, prayer made in the instant petition is accepted.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.10.2021
harjeet

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No