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

CRM-M-40111-2021

Date of decision : 29.09.2021

Jagsir Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aman Dhir, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Briz Mohan, Advocate for respondent Nos.2 and 3.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of regular bail to the petitioner in FIR No.44 dated 04.06.2021 registered under Section 307 of the Indian Penal Code, 1860 at Police Station Cheema, District Sangrur, especially in view of compromise deed dated 09.08.2021.

Learned counsel for the petitioner has submitted that the petitioner is the first cousin of the complainant as well as the alleged injured. It has further been stated that the present case is a case of version and cross-version and even as per the FIR, it is the complainant party

which had gone to the petitioner when the petitioner was alleged to have ploughed the watt (boundary). It is submitted that since the petitioner and the complainant are the close relatives, a genuine and bona fide compromise, in order to bring out peace and harmony between the two families, has been effected on 09.08.2021 and on the basis of the compromise, the Coordinate Bench of this Court on 06.09.2021 was pleased to issue notice in the petition filed for quashing of FIR on the basis of compromise.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 07.06.2021 and no further purpose would be served in keeping the petitioner behind the bars. He has further submitted that the injured has now recovered from the said injury.

Learned counsel for the State has submitted that in the present case, although, there is one injury attributed but the same would fall within the meaning of Section 307 of IPC. Further aspects have not been disputed by the learned counsel for the State.

Learned counsel for the complainant has submitted that in the present case, compromise has been effected and the petition for quashing of FIR on the basis of compromise has also been filed and he also prays that the present petition be allowed and the petitioner be released on regular bail.

Without commenting on the merits of the case and keeping in view the abovesaid facts and circumstances, moreso the fact that the petitioner and the complainant as well as the alleged injured are cousin

brothers and the compromise has been effected between the parties and in a petition filed for quashing of FIR, the Coordinate Bench of this Court has already issued notice of motion and also the fact that the petitioner has been in custody since 07.06.2021 and is not involved in any other case, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and unless he is not required in any other case.

Accordingly, the present petition is allowed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

29.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No