

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

216

CRM-M-1297-2022 (O&M)

Date of Decision: 23.03.2022

SATPAL SINGH @ GHUGGI AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Chandan Singh Rana, Advocate
for the petitioners.

Mr. Rehat Bir Singh Mann, DAG Punjab.

Mr. Vinod Kumar Sharma, Advocate for
Mr. Akshay Rana, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioners seek regular bail in case bearing FIR No.178 dated 29.11.2020, registered at Police Station Sidhwan Bet, Ludhiana, under Sections 324, 323, 148, 149, 427 IPC and Section 326 IPC (added later on).

Status report by way of an affidavit dated 18.03.2022 of the DSP Jagraon, District Ludhiana (Rural), filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioners submits that though a kirpan blow on the head of complainant, which was grievous in nature, has been attributed to petitioner No.1, a handle blow of kirpan on the face of complainant to petitioner No.2 and an iron rod blow on the person of complainant to petitioner No.3, yet the fact remains that a compromise

(Annexure P-2) has been effected between the petitioners and complainant and that the petitioners have been in custody for the last more than 3 months. He further submits that co-accused, namely, Kamal Singh @ Kamaldip Singh, Inderjit Singh @ Sunny and Gurcharan Singh, Gurdeep Singh, Sarabjit Kaur and Lovepreet Singh stand enlarged on ad interim pre-arrest bail by this Court, vide orders dated 07.01.2022 and 13.01.022.

On the other hand, while opposing the prayer for grant of regular bail to the petitioners, learned State counsel does not dispute the custody period of the petitioners as well as the factum of the co-accused being on bail. He, however, submits that the petitioners have actively participated in the occurrence and that injury No.1 on the person of the complainant was grievous in nature. He further submits that post presentation of the challan, the charges are yet to be framed.

Learned counsel for the complainant does not dispute the factum of compromise effected between the parties.

I have heard the learned counsel for the parties.

The petitioners have been in custody for the last more than 3 months. A compromise has already been effected between the parties. Charges are yet to be framed and prosecution evidence is to commence. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, the co-accused have already been enlarged on bail.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

23.03.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No