

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

CRM-M-10329-2022 (O&M)

Date of decision: 19.04.2022

Jaswinder Singh @ Jass

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gaurav Dutta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Ms. Sristi Sharma, Advocate for
Mr. Sukhcharan Gill, Advocate
for respondent Nos. 2 and 4.

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 petitioner in case FIR No. 149 dated 27.06.2021, registered under Sections 307, 336, 506, 34 of the IPC and Sections 25, 27 of the Arms Act, 1959 (Section 25 of the Arms Act deleted and Section 30 of the Arms Act added later on) at Police Station Gharinda, District Amritsar.

At the very outset, learned counsel for the petitioner submits that the matter stands compromised between the petitioner and the victims.

Learned counsel for respondent Nos. 2 and 4/victims admits to the factum of compromise entered into between the compromise.

In terms of order dated 12.04.2022, affidavit of the Superintendent, Central Jail, Amritsar along with the report of the Medical Officer has been filed. The relevant part of the medical report reads as

under:

“In reference to your letter it is respectfully submitted that the inmate Jaswinder Singh S/O Kulwant Singh is lodged in Central Jail, Amritsar. He is known case of Bronchial Asthma with generalised body weakness. As per patient's statement, he was using inhalers to control the asthmatic attacks. On 23/03/2022 he presented to Central Jail Hospital OPD with complaint of severe breathlessness. The Medical Officer on duty examined him properly and kept him at jail hospital overnight for observation. The patient was not recovered with the treatment given. So on 24/03/2022 he was referred to Medicine Emergency GNDH Amritsar. The patient got admitted in the Emergency Medicine unit and got the treatment. X-rays chest, ECG and various blood investigations were done. X-rays shows multiple opacities which are indicative of Bronchial Asthma (COPD). Presently patient is still admitted at Medicine Dept. GNDH Amritsar and under treatment for Bronchial Asthma and other health ailments.”

Learned State counsel has filed the custody certificate and has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts as well as the submissions of learned counsel for the parties, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

19.04.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No