

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26379-2022 (O & M)

Date of decision:04.07.2022

Gagandeep Singh @ Mikha @ Milkha

..... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ashok Giri, Advocate, for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition is for the grant of regular bail under Section 439 Cr.P.C. to the petitioner in a case bearing FIR No.40 dated 06.02.2022 under Sections 307/323/324/427/148 and 149 IPC registered with Police Station Bhargo Camp, District Jalandhar.

The case of the prosecution, in brief, is that the statement of Vishal Viridi son of Charanjeet Singh was recorded to the effect that on 05.02.2022 at about 9.00 p.m., he alongwith his friends had gone to the market to purchase a calculator. When he came out of the shop, he saw two boys were quarreling with his friends, namely, Sagar @ Vicky and Naveen son of Ajay Kumar due to parking of the cars. He tried to pacify both the parties but in the meanwhile, a number of persons including the petitioner come to the spot carrying *datars* and wearing iron *kadas* in their hands. On reaching the spot, the accused persons attacked the complainant side. The petitioner is said to have given a *datar* blow injury on the left hand of the

complainant, which ultimately, was found to be a simple in nature.

Similarly, other accused persons gave injuries to other persons from the complainant-party.

The learned counsel for the petitioner contends that so far as the petitioner is concerned, only simple injury has been attributed to the petitioner and even otherwise, the fight took place on a very trivial issue and a compromise (Annexure P-2) has been entered into between the parties.

The learned State counsel, however, submits that it is a serious offence and the petitioner does not deserve the concession of regular bail.

Mr. Digvijay Singh Mehra, Advocate, appearing on behalf of the complainant, however, admits the factum of compromise (Annexure P-2) and submits that he shall have no objection if the petitioner is granted the concession of regular bail.

I have heard the learned counsel for the parties.

A perusal of the FIR would reveal that the fight took place on the spur of the moment on a trivial issue of parking of the cars. The petitioner has been attributed a simple injury and even otherwise, a compromise (Annexure P-2) has been effected between the parties.

In view of the above, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Gagandeep Singh @ Mikha @ Milkha is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(JASJIT SINGH BEDI)
JUDGE

July 04, 2022
sukhpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No