

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

212

CRM-M-26738-2022(O&M)
Date of decision: 15.07.2022

ROHIT

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Raj Karan Singh Verka, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

Mr. Neeraj Yadav, Advocate
for the complainant.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.54 dated 01.05.2022 under Sections 307, 323, 341, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Nangal.

Learned counsel for the petitioner submits that Section 307 IPC had been added on the allegation of intention to kill and that injury caused on the backside of the head of the injured with *datar* has been found to be simple in nature. Besides, the matter has already been compromised between the parties and that the petitioner is in custody since 01.05.2022 and his further custodial detention is not required for the discovery of new fact or for further investigation.

The aforesaid submission of the learned counsel for the petitioner has not been disputed by the learned State counsel as well as counsel appearing on behalf of the complainant.

I have heard learned counsel for the parties and have perused the

material on record.

Taking into consideration the facts as noticed above and considering that injury attracting Section 307 IPC has been declared simple and that offence under Section 307 IPC has been attracted only on the basis of intention and that the matter having been resolved between the parties, I deem it appropriate to enlarge the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

July 15, 2022

S.Sharma(syr)

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