

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM-M-40825-2020

Date of Decision : February 08, 2022

Gurminder Singh @ Rabu

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amritpal Singh Sohal, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Lakhwinder S. Lakhanpal, Advocate, for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.14 dated 09.02.2019 registered under Sections 307, 323, 34 of the Indian Penal Code and Sections 341, 148 and 149 IPC (added vide order dated 19.07.2021) and Sections 25/27 of the Arms Act 54 of 1959 at Police Station G.R.P. Amritsar, District Amritsar.

Learned counsel for the petitioner submits that the parties have already compromised their dispute in order to live peacefully and as the investigation is already over and the petitioner has already been granted interim bail by a Coordinate Bench of this Court vide order dated 17.03.2021 and no negative report has been received against the petitioner

after he was granted the concession of interim bail, hence, the same may kindly be confirmed.

Learned counsel for the respondent-State submits that the investigation is already over and the challan has already been presented and no negative report has been received against the petitioner after he was granted the concession of interim bail.

Learned counsel for the complainant concedes the factum that the parties have already compromised their dispute in order to live peacefully.

Learned counsel for the petitioner submits that the petitioner undertakes before this Court that he will not influence the trial or the witnesses in any manner.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

A Coordinate Bench of this Court passed the following order on 17.03.2021 extending the benefit of interim bail to the petitioner and on the basis of the same, the petitioner is on bail even as of now. The said order is as under:-

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.14 dated 09.02.2019 under Sections 307, 323, 34 IPC and Sections 25/27 of the Arms Act, 1959, registered at Police Station GRP Amritsar, District Amritsar.

Learned State Counsel submits that during investigation, the offences under Sections 341, 148, 149 IPC have also been added in the case.

Learned counsel for the petitioner seeks time to move an appropriate application, so as to incorporate the newly added sections in the present petition.

On his request, adjourned to 13.05.2021.

Learned counsel for the petitioner submits that apart from the fact that other co-accused have been admitted on bail, the matter has otherwise been compromised between the parties, for which a separate petition for quashing of FIR, on the basis of compromise, has been filed.

In view of the fact that the matter has been compromised between the parties and other co-accused are on bail, the petitioner is admitted on interim bail, till the next date of hearing, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.”

As the parties have already compromised their dispute and the complainant is not opposing the prayer of the petitioner for the grant of bail coupled with the fact that the investigation is already over and the challan has been submitted, the interim bail granted to the petitioner by the Coordinate Bench of this Court vide order dated 17.03.2021 has not been misused by him, hence the same is confirmed.

The present petition is allowed in above terms.

February 08, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No