

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

223

CRM-M-51870-2021

Date of Decision : **May 11, 2022**

YUVRAJ THAKUR

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Narinder Lucky, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Ms. G.K.Dulat, Advocate
for the complainant.

JASGURPREET SINGH PURI. J. (Oral)

The present 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.44 dated 1.4.2021 under Sections 307, 323, 324, 148, 149, 506 IPC (Sections 325 and 326 IPC added later on), registered at Police Station Division No.7, District Jalandhar.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 11.4.2021 and it is a case where both the parties knew each other and the petitioner had acted in self defence and was also injured in the fight and he has also attached photographs of the petitioner as Annexure P-4. He further submitted that even otherwise also the investigation of the case has been completed and challan was presented and thereafter even the charges had been framed

on 22.11.2021 which is almost more than six months and no witness has been examined. He submitted that infact with the intervention of the respectables, a compromise has been effected between the parties vide Annexure P-7 and in view of the aforesaid position, the petitioner may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 11.4.2021 and now the charges have been framed on 22.11.2021 but no witness has been examined. So far as the compromise between the parties is concerned, he has submitted that since the matter pertains to Section 307 IPC, the compromise between the parties will not be relevant.

The learned counsel for the complainant has submitted on specific instructions that an amicable settlement has been reached between the parties vide Annexure P-7 since the dispute was between the persons who were known to each other and it was a case of cross version and a separate DDR was also recorded.

I have heard the learned counsels for the parties.

The investigation of the case has already been completed and challan has also been presented before the competent Court. It is the case of the petitioner that he himself was injured and he had acted in self defence and cross DDR was also registered. It is a case of both the petitioner and that of the complainant who is being represented through counsel that a compromise has been effected between the parties with the intervention of the respectables. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence

any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the totality of the circumstances of the present case, I deem it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

May 11, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No