

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

211/3

**CRM-M-50495-2022 (O&M)
Date of decision: 04.11.2022**

SIMRAT SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Harinder Singh, father of the petitioner in person.

ASI Balwinder Singh, Belt No.1249/PTA.

AMAN CHAUDHARY. J.

Bar is abstaining from work today.

The 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.86 dated 14.09.2022, under Sections 323, 341, 379, 506 and 34 of the IPC (Sections 307 and 201 IPC added later on), registered at Police Station Banur, District Patiala (wrongly mentioned as District SAS Nagar in the petition).

Mr. Harinder Singh, father of the petitioner appeared in the Court today (his Aadhaar Card is taken on record as Mark-A), who submits that the petitioner is in custody from 15.09.2022 and that he is studying in 4th year of law in Mohinder College Patiala and has no criminal antecedents, as is averred in para 14 of the petition.

It is averred in para 4 of the petition, it was on the supplementary statement recorded by the complainant that the petitioner along with two other co-

accused came to be nominated, wherein attribution to the petitioner was fists blows. A compromise dated 11.10.2022, Annexure P-3, has been arrived at between the parties. Father of the petitioner also states that the petition for quashing by way of compromise is also going to be filed by the petitioner.

ASI Balwinder Singh, Belt No.1249/PTA affirms the factum of the compromise arrived at between the parties. On query of the Court as regards the investigation in the case is concerned, he submits that the same is complete and challan has been prepared, which is under the process of checking. He further affirms the fact that the petitioner is not involved in any other case and is in custody since 15.09.2022, and that as per the MLR, the complainant had suffered simple injuries.

Heard and perused the file.

Keeping in view the facts and circumstances, in particular that the petitioner is a 4th year student of law; has been in custody since 15.09.2022; compromise in the matter has been arrived at between the parties; he is not involved in any other criminal case; investigation is also complete; the challan is prepared but pending for approval, his further detention behind bars would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of

- which, he is an accused, or for commission of which he is suspected of.
5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
6. The petitioner shall not in any manner misuse his liberty.
7. Any infraction shall entail in withdrawal of the benefit granted by this Court.

In view of the above, this Court makes it clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

November 04, 2022

S.Sharma(syr)

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