

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3918-2023

DECIDED ON: 31th JANUARY, 2023

JAGPAL SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Arshit Goel, Advocate
for the petitioners.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for the grant of regular bail to the petitioners in FIR No. 232, dated 24.12.2022, under Sections 323, 341, 506, 148 and 149 IPC (Section 379-B IPC added later on), registered at Police Station Passiana, District Patiala.

Learned counsel for the petitioners contends that a compromise has already been effected between the parties on 19.01.2023. Para Nos. 4 and 5 of the compromise is relevant which reads as under:-

“4. That now the respectable and friends have executed a compromise between the parties, according to which, the Party No.1 does not want to institute any proceedings in the case registered against the Party No.2 bearing Case No. 0232, dated 24.12.2022, under Sections 323, 341, 506, 148, 149 and 379-B IPC at the Police Station Passiana, District Patiala and in this regard, the parties shall remain committed to record their

statements in favour of each other, if necessary.

5. *That it is settled between the parties that the Party No.1 shall be liable to record its statement before any institution such as the police for the quashing of the aforementioned case against the Party No.2. Apart from the same, if the parties are required to furnish their affidavit or any other document before the Hon'ble Court or institution then the parties shall abide by the same."*

Notice of motion.

On the asking of Court, Mr. Mohit Kapoor, Addl. AG, Punjab accepts notice on behalf of respondent-State, who has produced the custody certificate of petitioner No.1-Jagpal Singh @ Leela today in Court, which is taken on record. According to the custody certificate, Jagpal Singh @ Leela is behind bars for the last 1 month and 05 days and is not involved in any other case.

Considering the fact that the parties have entered into a compromise, this Court is of considered view that no fruitful purpose would be served by keeping the petitioners behind the bars for an indefinite period, petitioners are ordered to be released on regular bail subject to their furnishing requisite bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

Disposed off accordingly.

31th JANUARY, 2023

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**(SANDEEP MOUDGIL)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>