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CRM-42387-2023; CRM-28588-2023 in/and CRM-M-6424-2023
ANKIT MISHRA V/S STATE OF PUNJAB

Present: Mr. Fatehjeet Singh, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

CRM-42387-2023

This is an application for preponing the date of hearing of the main case to an early date.

Notice of the application.

Mr. Amish Sharma, AAG, Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Gursharan Singh, Advocate puts in appearance on behalf of the complainant and has filed his power of attorney, which is taken on record.

Learned State counsel as well as learned counsel for the complainant submit that they have no objection in case the date of hearing is advanced to today and the main case is considered on merits.

Learned counsel for the complainant further states that a compromise has been effected with the main accused and the petitioner was not named in the FIR and accordingly, the complainant has suffered statement to this effect in Court on 19.09.2023.

In view of the above, the present application is allowed. The date of hearing of the main case is advanced from 08.11.2023 to today. With the consent of learned counsel for the parties, the main case is taken up on board for consideration.

CRM stands disposed of.



CRM-42387-2023; CRM-28588-2023 in CRM-M-6424-2023

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CRM-28588-2023

This is an application for placing on record copy of compromise deed, statements, affidavit and testimony as Annexures P-4 to P-8.

Notice of the application.

Mr. Amish Sharma, AAG, Punjab and Mr. Gursharan Singh, Advocate for the complainant accept notice.

For the reasons mentioned in the application, the same is allowed. Annexures P-4 to P-8 are taken on record, subject to all just exceptions.

CRM stands disposed of.

CRM-M-6424-2023

Learned counsel for the parties seek a pass over to address arguments in the main case.

October 11, 2023
sumit.k

(VIKAS SURJ)
JUDGE



2023:PHHC: 132133

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110 CRM-M-6424-2023 (O&M)
Date of decision: 11.10.2023

Ankit Mishra ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

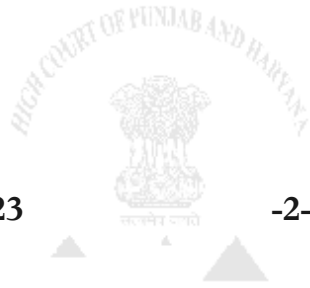
Present: Mr. Fatehjeet Singh, Advocate for the petitioner.
Mr. Amish Sharma, AAG, Punjab.
Mr. Gursharan Singh, Advocate for the complainant.

FIR No.	Dated	Section/s	Police Station
184	06.12.2015	307, 326, 323, 324, 148, 149 and 201 IPC	Bhargo Camp, Jalandhar, Police Commissionerate, Jalandhar.

VIKAS SURI, J.

[1] The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above-captioned case.

[2] Learned counsel for the petitioner has argued that the petitioner was not named in the FIR and was nominated as accused on the basis of supplementary statement of the complainant. The petitioner was never served and as such was not aware of having been declared as proclaimed person and was arrested on 12.10.2022. Petitioner is in



custody since then. It is further submitted that the complainant has effected a compromise with the accused named in the FIR and has suffered a statement to that effect before the Court and has further not supported the prosecution version. The petitioner is not involved in any other criminal case and has clean antecedents.

[3] *Per contra*, learned State counsel has filed the custody certificate of the petitioner dated 10.10.2023, which is taken on record.

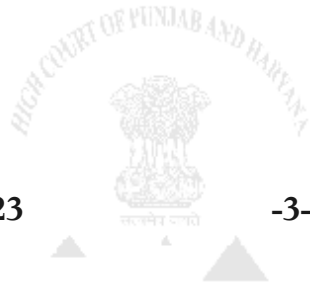
[4] However, learned State counsel does not dispute that there is no other criminal case against the petitioner and that petitioner is in custody for 12 months and 02 days, as per custody certificate.

[5] Learned counsel for the complainant refers to compromise deed, statements, affidavit and testimony (Annexures P-4 to P-8), to submit that complainant has effected compromise with the petitioner, therefore, he has no objection in case the present petition is allowed.

[6] I have heard learned counsel for the parties and considered the rival contentions.

[7] Keeping in view the above, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on his furnishing bail-bond and surety to the satisfaction of the Area Magistrate/Trial Court/Duty Magistrate concerned.

[8] It is, however, made clear that the petitioner shall not influence the trial in any manner directly or indirectly and shall not leave the country without prior permission of the trial Court.



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2023:PHHC: 132133

[9] The observations made herein-above shall not be construed as an expression of opinion on the merits of the case.

October 11, 2023
sumit.k

(VIKAS SURJ)
JUDGE

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