

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23583-2023
Decided on : 15.05.2023

Kulwant Singh @ Joban and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manu Loona, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Yaseen Sethi, Advocate
for the complainant.

Manjari Nehru Kaul, J.(Oral)

1. The petitioner is seeking concession of regular bail in case FIR No.51 dated 03.02.2023 under Sections 308, 341, 323, 506, 148 and 149 IPC registered at Police Station City Faridkot District Faridkot.

2. Learned counsel for the petitioner *inter alia* contends that it was on account of some misunderstanding and trivial dispute between the parties that the FIR in question came to be registered against the petitioners. However, subsequently, with the intervention of respectables and panchayat members of the village, the parties had ironed out their differences and arrived at an amicable settlement vide Annexures P-2 and P-3. Learned counsel submits that the petitioners have now been in custody since 06.02.2023 and the investigation is complete as challan stands presented. Learned counsel further submits that charges are likely to be framed on the next date of hearing i.e. 15.05.2023. It has also been

submitted that in the above facts and circumstances, further incarceration of the petitioners would serve no useful purpose.

3. Learned counsel appearing for the complainant does not dispute the submissions made by counsel opposite and also does not oppose his prayer for being enlarged on bail in view of the fact that the parties have resolved all their disputes.

4. Learned State counsel on instructions has, however, submitted that the petitioners had been named in the FIR in question and also attributed injuries with their respective weapons, which they were carrying at the time of occurrence in question.

5. Heard learned counsel for the parties and perused the relevant material on record.

6. The investigation is complete and challan stands presented coupled with the fact that the parties have amicably resolved their dispute. Therefore, further incarceration of the petitioners in the aforesaid facts and circumstances would serve no useful purpose. Accordingly, the present petition is allowed. The petitioners be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

15.05.2023
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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No