

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

213-CRM-M-27682-2023

Date of Decision: 02.06.2023

JASVIR SINGH & ANR.

... Petitioners

VS.

STATE OF PUNJAB & ANR.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. BS Khehar, Advocate for the petitioners

Sandeep Moudgil, J. (Oral)

The petitioners seek regular bail in case FIR No.55 dated 04.03.2023 under Sections 307/341/323/148/149/506 IPC, registered at Police Station Sadar Kharar, District SAS Nagar.

Learned counsel for the petitioners contends that the allegations whatsoever qua all the four petitioners are of causing injury with a blunt weapon. He submits that no injury has been attributed to the petitioners and the present one is the case of version and cross-version and above all, the matter has now been settled amicably with the intervention of the respectable categorically recording that the FIR was a result of misunderstanding inter se parties. .

Notice of motion.

On the asking of Court, Mr. Mohit Chaudhary, AAG Punjab accepts notice on behalf of respondent-State. He has filed custody certificates dated 02.06.2023 of both the petitioners which are taken on record. Mr. Hemant Saini, Advocate has also put in appearance on behalf of the complainant.

Having gone through the contents of the FIR and with the assistance of the State counsel, it is apparent that no overt act is coming forth against the petitioners which could attract Section 307 IPC and in the light of the fact that once the parties have resolved their dispute and even counsel for the complainant is not opposing the prayer for bail of the petitioners, in uncertain terms, shows that there is probability of acquittal of the petitioner.

In view of the above discussion and the fact that the trial is likely to take long time and particularly when no useful purpose would be served keeping the petitioners behind the bars and also that the parties have entered into a compromise, the petitioners are directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition is, therefore, allowed.

02.06.2023

V.Vishal

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No
Yes/No