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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 48649 of 2023
Date of decision:- 07.11.2023

LAKHBIR SINGH

... Petitioner

Versus

STATE OF PUNJAB & ORS.

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Tejinder Singh, Advocate for the petitioner.

Mr. J.S. Guru, AAG, Punjab

Mr. Pardeep Kumar Bhukal, Advocate
for respondent No.2 and 3.

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SANJIV BERRY, J. (ORAL)

The instant Second petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
158	12.05.2023	307, 323, 324 IPC	Sohana, District SAS Nagar

2. It is *inter alia* contended by the learned counsel for the petitioner that the petitioner and respondent No.2 are known to each other and used to work together and due to some circumstances, their relations became strained due to which a complaint was lodged against the petitioner

alleging to have attacked respondent No.2 with a knife and causing injuries.

He submits that incident occurred due to sudden provocation and with the intervention of respectables, the matter between the parties has been amicably compromised without any type of coercion pressure or threat. The injured- Karamjit Singh-respondent No.2 has also given an affidavit on 24.07.2023 (Annexure P-3) stating 'No Objection' if the petitioner is released on bail. He further submits that the petitioner is in custody since 14.05.2023; and prays for grant of concession of bail.

3. *Per contra* learned State counsel opposed the bail application by submitting that the petitioner has neither produced any compromise deed effected between the parties before the investigating officer nor got recorded their respective statements regarding to factum of any compromise between them.

4. Learned counsel appearing on behalf of the respondent No.2 and 3 have admitted the factum of compromise deed dated 29.06.2023 (Annexure P-2) and pleaded 'No Objection' if the petitioner is released on bail.

5. After considering the rival contentions and perusing the record, it transpires that vide compromise deed dated 29.06.2023 (Annexure P-2) matter has been amicably settled between the parties and vide affidavit dated 24.07.2023 (Annexure P-3) respondent No.2 pleaded 'No Objection'. The petitioner is in custody since 14.05.2023, challan has already been presented in Court and the matter has been settled between the parties as per compromise deed dated 29.06.2023 (Annexure P-2) therefore, no purpose would be served by detaining the petitioner in custody any longer, and

criminal liability, if any, could be ascertained after conclusion of trial which will take sufficiently long time.

6. Resultantly, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

07.11.2023

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No