

**236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Neutral Citation No. 2023:PHHC:141796
CRM-M-54204-2023**

Date of Decision: November 07, 2023

Gajjan Singh @ Sukhwant Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Simranjot S. Nagra, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is seeking regular bail by way of this petition filed under Section 439 Cr.P.C. in case FIR No.164 dated 20.10.2022, under Sections 341, 323, 34 of IPC (Section 308 of IPC added later on, vide DDR No.38 dated 29.10.2022), registered at Police Station Sardulgarh, District Mansa.

2. As per head note of the petition, this is the first petition. However, Registry has pointed out that this is the second petition. When the said fact was confronted to learned counsel for the petitioner, it is conceded by him that this is the second petition and inadvertently he mentioned in the head note to be the first petition. He has also pointed out that he has not concealed any fact and factum of the first petition is duly mentioned in para No.5 of the petition and even the copy of the order dated 02.09.2023 passed by this Court in CRM-M-587-2023 has been placed on record as Annexure P-4, as per which the earlier petition filed by the petitioner was dismissed as withdrawn.

3. On merits, learned counsel for the petitioner contends that application under Section 319 Cr.P.C. has since been dismissed. Later on, parties have arrived at a compromise; that the petitioner is in custody for the last more than 01 year and in all the circumstances, he be allowed bail.

4. Notice of motion.
5. Mr. R.S. Khaira, DAG, Punjab accepts notice on behalf of respondent-State. Mr. Raghav Goyal Chandiwal, Advocate has filed Vakalatnama on behalf of the complainant.
6. Learned counsel for the complainant has conceded the factum of compromise. Copy of the compromise dated 06.10.2023 has been placed on record as Annexure P-2.
7. As per custody certificate, petitioner is in custody for the last 01 year and 07 days, with no criminal antecedent.
8. Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

November 07, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No