

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRM M-54100 of 2023
Date of Decision: 03.11.2023

Akshay Kumar

...Petitioner

Vs.

State of Punjab and another

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. S.K. Choudhary, Advocate for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.68 dated 05.07.2023 registered under Sections 324 and 34 IPC (Sections 326 and 307 IPC added later on) at Police Station Sadar, District Pathankot.

2. Learned counsel for the petitioner contends that the petitioner and three other persons have been falsely implicated by the complainant in the present case. It was alleged that one person out of 04 accused had given blow with a weapon on the left side of the abdomen of the complainant and there was no specific attribution to the present petitioner. Learned counsel further contends that the matter has been amicably resolved between the complainant and the

accused side and a compromise deed dated 10.08.2023 (Annexure P-2) was executed between the parties in this regard. Learned counsel further contends that two co-accused of the petitioner Gokal @ Vivek Sharma and Vinay Kumar have already been admitted to bail and the petitioner is also similarly placed.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

4. Mr. G.S. Bhinder, Advocate, has appeared on behalf of the complainant and submits that he has no objection in case the present bail application is allowed as the parties have amicably resolved all their disputes.

5. I have heard learned counsel for the parties and perused the record.

6. As per the record, the petitioner was arrested in the present case on 06.07.2023 and is behind the bars for the last about 04 months. Further the parties have amicably resolved all their disputes vide compromise deed dated 10.08.2023 (Annexure P-2) and in the considered opinion of the Court, further custody of the petitioner will not serve any meaningful purpose.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered

to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

03.11.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No