

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

CRM-M-62420-2023

Date of decision : 18.12.2023

DILBAGH SINGH ALIAS DANA

....Petitioners

Versus

STATE OF PUNJAB

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Gaurav Kalsi, Advocate for
Mr. H.S. Batth, Advocate for the petitioner.

Mr. Jaswinder S. Arora, DAG, Punjab
with ASI Harinderjit Singh.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.39 dated 13.04.2023 registered for the offences punishable under Sections 307, 452, 427, 506, 148, 149 of IPC and Sections 25, 27 of Arms Act, 1959 at Police Station Kathu Nangal, District Amritsar Rural.

2. Reliance is being placed upon the order dated 28th of August, 2023 passed in CRM-M No.26686 of 2023 whereby recognizing the compromise between the accused and the complainants/victims the FIR stands quashed but *qua* petitioners therein. Counsel submits that the present petitioner could not be one of the petitioners in quashing for the reason that he was not named in the FIR.

3. State Counsel is not in posititon to dispute the factual assertions made by counsel for the petitioner based on record.
4. I have heard counsel for the parties and have gone through records of the case.
5. Without commenting on the merits of the case and keeping in view the incarceration already suffered by the petitioner i.e. for last more than 6 months since 03.06.2023, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
6. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

December 18, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No