

CRM-M-62430-2023

2023:PHHC:162491

-1-

(223)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-62430-2023

Date of Decision: 18.12.2023

VIJAY HANS & ANOTHER

... Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rishu Mahajan, Advocate
for the petitioners.

Ms. Ramta K Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.114 dated 14.03.2018 registered under Sections 307/326/323/341/148/149 of the IPC, 1860 at Police Station Civil Lines, Amritsar.

2. The present FIR came to be registered with the allegations that the petitioners along with their co-accused assaulted the complainant.

3. The learned counsel for the petitioners contends that a compromise had been arrived at between the parties. Petitioner No.1 was in custody since 21.07.2023 and petitioner No.2 was in custody since 14.08.2023. None of the 21 prosecution witnesses had been examined so far and therefore, the Trial of the present case was not likely to be concluded anytime soon entitling the petitioners to the grant of bail.

4. On the other hand, the learned State counsel contends that the nature of the allegations levelled against the petitioners did not entitle them

to the grant of bail. She, however, concedes that the petitioners were first-time offenders, in custody since 21.07.2023 and 14.08.2023 respectively and that a compromise has been arrived at between the parties.

5. I have heard the learned counsel for the parties.

6. Admittedly, the petitioners are in custody since 21.07.2023 and 14.08.2023 respectively. None of the 21 prosecution witnesses have been examined so far. The petitioners are also stated to be first-time offenders. A compromise has been arrived at between the parties. In this situation, their further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

18.12.2023

JITESH

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