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

CRM-M-2802-2024 (O&M)

Date of decision : January 24, 2024

Sachin Kumar

..... Petitioner

Versus

State of Punjab

..... Respondents

CORAM : HON'BLE MR. JUSTICE KARAMJIT SINGH

Present :-Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG., Punjab.

KARAMJIT SINGH, J. (ORAL)
CRM-3483-2024

This is an application under Section 482 Cr.P.C for placing on record the copy of compromise dated 10.01.2024 as Annexure P-3.

For the reasons mentioned in the application, the same is allowed. Compromise deed Annexure P-3 is taken on record subject to all just exceptions.

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1. Present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 0138 dated 18.10.2023 registered under Sections 324, 341,148,149 IPC (Section 326 IPC was added later on) at Police Station Sarabha Nagar, District Police Commissionerate, Ludhiana.

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2. As per allegations appearing on the record petitioner and other accused constituted unlawful assembly and petitioner caused grievous injury on the left arm of complainant with the help of sword and the said injury is covered under Section 326 IPC. During investigation the petitioner was arrested in this case on 01.12.2023.
3. The counsel for the petitioner submits that FIR in this case was registered by the complainant due to some misunderstanding and that now the matter stands compromised vide compromise deed dated 10.01.2024 (Annexure P-3) and that the petitioner is in custody since 1.12.2023 and the recoveries are already effected in this case and the injured stands discharged so prayer is made that the petitioner be granted concession of regular bail.
4. The present petition is resisted by the State counsel who submits that the petitioner caused grievous injury to the complainant with the help of sharp edged weapon and that investigation is still going on. However, the State counsel has not disputed the fact that the injury in question was caused by the petitioner on non-vital part of body of the complainant and the petitioner is having no other criminal case.
5. Mr. Varshit Garg, Advocate has put in appearance on behalf of the complainant and has admitted the factum of compromise and also admitted the compromise deed dated 10.01.2024 (Annexure P-3) which is bearing signatures of all the parties. The counsel for the complainant is having no objection if the petitioner is released on regular bail.
6. I have considered the submissions made by the counsel for the parties.
7. In view of the fact that the recoveries are already effected in this case and the injured/complainant is discharged from the hospital and the injury attributed to the petitioner was on non-vital part i.e. left arm of the complainant

and further it appears that the parties have entered into a compromise, no purpose is going to be served by detaining the petitioner in custody for any longer period.

8. In the light of the above, without commenting on the merits of the case, present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

January 24, 2024
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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable :	No