

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

232

**2024:PHHC:050898**

CRM-M-17189-2024 (O&M)

Date of decision: April 16, 2024

Sunny Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Hitesh Verma, Advocate  
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

**MANJARI NEHRU KAUL, J. (ORAL)**

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.269 dated 08.11.2023 under Sections 323, 307, 324, 148, 149 of the IPC registered at Police Station Model Town, District Hoshiarpur.

2. Learned counsel for the petitioner, *inter alia*, contends that after the petitioner was arrested on 09.11.2023 in a case of version and cross-versions, wherein both the sides received injuries at the hands of each other, the parties with the intervention of well wishers, had ironed out their differences and arrived at an amicable settlement vide compromise dated 04.01.2024 (Annexure P-3).

3. Ms. Niharika Almadi, Advocate, has entered appearance on behalf of the complainant and filed her power of attorney, which is taken on record. She does not dispute the statement made by the counsel opposite qua the parties having arrived at an amicable settlement. It has also not been disputed that in the occurrence in question, both the sides

received injuries at the hands of each other. She does not oppose the prayer made for extending the concession of bail to the petitioner.

4. Learned State counsel, on instructions, has not disputed that it is a case of version and cross-version, wherein both the sides received injuries at the hands of each other. However, he submits that in the occurrence in question, the petitioner inflicted an injury with a *datar* on the left side of the neck of the complainant. He, on further instructions, has informed the Court that challan stands presented and the next date fixed before the trial Court is 30.04.2024 when the charges are likely to be framed.

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

6. In the facts and circumstances as enumerated hereinabove, since the parties have arrived at an amicable settlement, further incarceration of the petitioner would serve no useful purpose. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

April 16<sup>th</sup>, 2024  
Puneet

(MANJARI NEHRU KAUL)  
JUDGE

Whether speaking/reasoned : Yes  
Whether reportable : No