



CRM-M-17704-2024

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(231)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-17704-2024
Date of Decision: 23.05.2024

BHAJJI ALIAS BINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jaspreet Singh Brar, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., 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.0018 dated 31.01.2017 registered under Sections 307, 458, 323, 148, 149, 506, 120-B IPC, 1860 (charges have been framed under Sections 307, 458, 323, 506, 201, 148, 149 IPC) at Police Station Bajakhana, District Faridkot (Punjab.).

2. The learned counsel for the petitioner contends that a compromise has been effected between the parties. Co-accused Kuldeep Singh and Resham Singh had filed a quashing petition based on the said compromise and this Court had quashed the FIR and all subsequent proceedings arising therefrom vide order dated 20.05.2019 (Annexure P-3). The petitioner who was arrested later filed a similar petition for quashing of the FIR on the basis of a compromise in which case, this Court vide order dated 07.05.2024 had directed the recording of the statements of the parties

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in support of the compromise. As a compromise had been arrived at between the parties and the petitioner was in custody for the last more than 04 months, he was entitled to the concession of bail.

3. On the other hand, the learned State counsel has not disputed the factual situation.

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

5. Admittedly, 02 of the 03 accused filed a quashing petition based on a compromise and the FIR qua them quashed. Thereafter, the present petitioner was arrested and has filed a similar petition for quashing on the basis of a compromise in which case this Court has ordered the recording of the statements of the parties before the Lower Court. As a compromise has been arrived at and the petitioner is stated to be in custody for the last more than 04 months, no useful purpose would be served by keeping the petitioner incarcerated.

6. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Bhajji alias Binder Singh son of Puran Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

7. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

23.05.2024

JITESH

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