



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30775-2024

DECIDED ON: 04.07.2024

VIKAS SHARMA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ramneek Vasudeva, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.124, dated 24.04.2024, under Sections 307, 379-B, 323, 341, 506, 148 and 149 IPC, registered at Police Station Dera Bassi, District SAS Nagar (Punjab).
2. Learned counsel for the petitioner contends that no injury has been attributed to the present petitioner and even otherwise it has been argued that parties have entered into a compromise wherein Section 307 IPC cannot be attracted as far as the role of the petitioner is concerned and in the instant FIR he was not present at the spot of alleged occurrence. He further contends that the petitioner is not involved in any other case, meaning thereby he is not a habitual offender.
3. On the other hand, learned State counsel has produced the custody certificate of the petitioner today in Court, which is taken on record.

He on instructions from ASI Kewal Kumar could not dispute the above said facts.

4. Ms. Anu Bala Garg, Advocate has put in appearance on behalf of respondents No.2 and 3 and filed her Power of Attorney, which is taken on record.

5. In the light of above, this Court does not find any reason to detain the petitioner further in custody though investigation is not yet complete as has been pointed out by learned State counsel but in the light of compromise as entered into between the parties, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

6. In the afore-said terms, the present petition is hereby allowed.

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

04.07.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>