IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(213)

CRM-M-33280-2024 (O & M)
Date of decision: 19.07.2024

Pawandeep @ Pawan @ Pammu .... Petitioner

V/s

The State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Navraj Singh, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Anantdeep Singh Sandhu, Advocate, for the complainant.

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JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in a case FIR No.177 dated 25.11.2023 under Sections 307, 323, 506, 427, 148, 149 IPC and Section 25 of the Arms act registered at Police Station Nihal Singh Wala, District Moga, Punjab.

2. The learned counsel for the petitioner contends that it is a case of version and cross-version and a compromise has been arrived at between the parties. As the petitioner was in custody since 31.12.2023, none of the 14 prosecution witnesses had been examined so far and co-accused Sandeep Singh @ Seepa @ Vicky and Gurseewak Singh @ Janni @ Goga had been granted the concession of regular bail, the petitioner was entitled to the concession of bail.

3. The learned counsel for the complainant admits the factum of a compromise having been arrived at as also the fact that it is a case of version

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and cross-version. He states that he has no objection if the petitioner is granted the concession as prayed for.

4. The learned counsel for the State has not disputed the factum of the compromise but states that the seriousness of the allegations did not entitle the petitioner to the grant of bail.

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

6. Admittedly, it is a case of version and cross-version. A compromise has been arrived at between the parties pursuant to which two co-accused-Sandeep Singh @ Seepa @ Vicky and Gurseewak Singh @ Janni @ Goga have been granted the concession of bail vide orders dated 09.05.2024 (Annexure P-4) and 16.07.2024. The petitioner is stated to be in custody since 31.12.2023 but none of the 14 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Pawandeep @ Pawan @ Pammu is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. The present petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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