



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M -34463-2024

Date of Decision : July 25, 2024

GURPREET SINGH ALIAS GURDEEP SINGH ALIAS CHICHA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.K.Pandey, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. Deepak Bhardwaj, Advocate
for the complainant.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, the petitioner prays for grant of regular bail in case FIR No.0003 dated 23.11.2023, under Sections 323, 324 and 326 IPC, registered at Police Station Airport, SAS Nagar, Mohali.
2. The case of the prosecution as set up on a statement made by one Rohit Kumar, reads as under:-

“That he plies a taxi at Mohali Airport. In the intervening night of 16/17.11.2023 he was waiting for a passenger at airport authority counter. A passenger stopped by and asked about the hire charges of the taxi. An OLA car driver namely Gurdeep Singh @ Gurpreet Singh @ Chicha was standing near by the counter. He came to him and told him that passenger/customer belongs to him, to which he replied that he could take the

passenger. But the passenger declined to go with him, as he was demanding higher charges. Gurdeep Singh @ Gurpreet Singh @ Chicha got annoyed and brought some pointed weapon from his Wagon-R Car and physically assaulted him. He pierced that weapon into his left eye. He hit again on his left eye which landed on the eyebrows of left eye. He turned around to save himself, whereupon he hit the pointed weapon on his left shoulder. He fell down and Gurdeep Singh @ Gurpreet Singh @ Chicha alongwith the pointed weapon fled away in his car from the spot. His uncle/Chacha Om Parkash took him to Civil Hospital, Phase-6, Mohali. As per the MLR complainant Rohit Kumar suffered three injuries. The injury inflicted of his left eye made him blind on one eye. His vision has been lost permanently. Despite operation, his left eye could not saved. Injuries have been declared grievous in nature by the medical officer.”

3. Learned counsel for the petitioner in the asking for the relief (supra) submits that during the pendency of the instant FIR, the matter has been amicably settled between the parties concerned and even the petitioner alongwith other co-accused have preferred CRM-M-34444-2024 seeking quashing of the FIR on the basis of compromise, in which notice has been issued and the parties were directed to get their statements recorded. He further submits that the petitioner has suffered incarceration of about 7 months and 17 days as on today and the charges have been framed on dated 12.7.2024 and the prosecution has cited total 10 witnesses in the final report but none has been examined so far.

4. Learned counsel for the complainant has caused appearance and admitted the factum of compromise and submits that he has no objection in case the petitioner is granted the relief of regular bail.



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5. The learned State counsel has placed on record the custody certificate *qua* the petitioner, which reflects that the petitioner has suffered incarceration of 7 months and 17 days as on today. It also reflects that the petitioner is also involved in one other case but in that case, he is on bail.

6. Be that as it may, considering the fact that the matter has been compromised between the parties and the petitioner has suffered sufficient incarceration and the trial is yet to commence, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

7. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

8. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 25, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No