



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

Date of Decision: 22.08.2024

...Petitioner

VS.

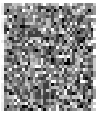
...Respondent

Present : Mr. Rahul Soi, Advocate, for the petitioner.
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.
Mr. Umesh Pandey, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.0056 dated 16.05.2024 registered under Sections 307, 323, 324, 341, 506, 148, 149 of IPC, at Police Station Division-04, District Patiala.

2. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and has been nominated on the basis of the disclosure statement made by co-accused, Rohit Shikari, in the police custody. Learned counsel further contends that the petitioner and the complainant are residents of the same locality and have amicably resolved all their disputes with the intervention of the residents of the locality. Even a compromise deed dated 10.06.2024 (Annexure P-2) was executed between the parties. On the strength of the compromise deed (Annexure P-2), a quashing petition i.e. CRM-M-31818-2024 was filed before this Court and vide order dated 08.07.2024 (Annexure P-3), this Court had directed the parties to appear



before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the genuineness of the compromise between the parties. He further contends that the petitioner is in custody since 05.06.2024 and the investigation in the present case is almost complete. Thus, no purpose will be served by keeping the petitioner behind bars.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner and he does not deserve the concession of bail by this Court. However, learned counsel for the complainant submits that he has no objection, in case the present petition is ordered to be allowed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, the petitioner is in custody for the last more than 02 months. Moreover, the matter has been compromised between the petitioner and the complainant, who are stated to be residents of the same locality. Thus, no purpose will be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

22.08.2024.
hemlata

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