



CRM-M-39578-2024

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

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CRM-M-39578-2024

Date of Decision : **August 23, 2024**

KULWINDER SINGH ALIAS NIKKA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Baljit Singh, Advocate for
Mr. N.S.Sidhu, Advocate for the petitioner.
Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.01 dated 3.1.2024, Under Sections 379-B/324/34 IPC (Later on added offence under Section 411 IPC), registered at Police Station Phool, District Bathinda.
2. The allegations, as levelled against the petitioner, are that he alongwith other co-accused caused injuries to the victim and snatched mobile phone and an amount of Rs.2,000/-.
3. Learned counsel for the petitioner in the asking for the relief (supra) submits that the petitioner has suffered incarceration of more than 7 months and 14 days, as on today and the other co-accused has already been granted regular bail by a co-ordinate Bench of this Court, vide order dated 16.4.2024 passed in CRM-M-17508-2024. He further submits that now the instant matter has been amicably settled inter-se the parties, and the petitioner and other co-accused has also preferred CRM-M-32185-2024 seeking quashing of the instant FIR on the basis of compromise.



4. On the other hand, the learned State counsel while placing on record the custody certificate has opposed the grant of regular bail to the petitioner and submits that the petitioner is involved in one other case, under the NDPS Act and the weapon of offence used in the crime has been recovered from the present petitioner. He further informs this Court on instructions imparted to him by ASI Lakhwinder Singh that out of total 15 cited witnesses in the final report, only 2 have been examined till date.

5. Be that as it may, considering the fact that the petitioner has suffered incarceration of about 7 months and 14 days as on today and the matter has been amicably settled inter-se the parties and also the fact that other co-accused, who is co-pedestal with the petitioner, has already been granted the relief of regular bail by a co-ordinate Bench of this Court and only 2 witnesses have been examined till date, out of total 15 cited witnesses, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

6. 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.

7. 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.

August 23, 2024
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(KULDEEP TIWARI)
JUDGE

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