

2024:PHHC:034641

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

226

CRM-M-55463-2023

Date of Decision : March 11, 2024

SUKHJIT SINGH ALIAS RAVI ALIAS DISKPetitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

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

Mr. Akshay Kumar, AAG, Punjab.

Mr. Ravi Kumar, Advocate
for the complainant.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.103, dated 17.06.2023, under Sections 323, 325, 341, 307, 506, 148, 149 and 120-B of the IPC, registered at Police Station Sadar Khanna, District Khanna.

2. The allegation as levelled against the present petitioner, as culled out from the FIR (*supra*) is that the prosecution agency set into motion on a statement made by the complainant namely Sukhvir Singh, wherein, he alleged that accused Gurmail Singh, his wife Paramjit Kaur and their son Ranbir Singh alias Kaka, entered into a criminal conspiracy to kill the complainant, and in pursuance of which they hired the present petitioner Sukhjit Singh alias Ravi alias Disk, Gurjit Singh alias Babber, Jitender Singh alias Bhaini, Gagandeep Singh alias Gagan and Maninder

Singh alias Mani, Arshdeep Singh alias Arshu and Manpreet Singh alias Mani, and some unknown person, who on 17.06.2023, at about 9:30/9:35 A.M. armed with *kirpan, datter, dah* etc., with an intention to kill complainant attacked him, when the complainant was going for his work, and as per the MLR the petitioner has suffered as many as 11 injuries.

3. Learned counsel for the petitioner submits that infact the present matter has been amicably compromised *inter se* the parties, and no specific injury has been attributed to the present petitioner.

4. He further submits that the petitioner has already suffered incarceration of approximately 9 months, and the final report has already been filed by the investigating agency, and the charges have been framed on dated 12.01.2024, and the complainant has already been examined, wherein he has not supported the case of the prosecution, and has turned hostile.

5. At this stage, Mr. Ravi Kumar, Advocate, has caused appearance on behalf of the complainant, through a validly executed power of attorney in his favour, which is taken on record. He admits the factum of compromise between the complainant and the present petitioner, and submits that he has no objection if the petitioner is granted the benefit of regular bail.

6. Learned State counsel has vociferously opposed the asked for relief. He has placed on record a custody certificate *qua* the petitioner, which is taken on record. A perusal of the same reveals that the petitioner has suffered incarceration of 8 months and 24 days as on today, and he is not involved in any other criminal case.

7. He further submits, on instructions imparted to him by official concerned, agrees to the complainant being hostile before the learned trial Court concerned.
8. This Court has heard the learned counsel for all the parties concerned, and has gone through the entire case file.
9. Considering the fact that the matter has been compromised between the petitioner and the complainant, and the complainant has turned hostile before the learned trial Court concerned, coupled with the fact that the petitioner has already suffered incarceration for 8 months and 24 days as on today, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.
10. However, it is clarified that if in future, the petitioner is found indulging in commission of similar offences, as are involved herein, the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court. Moreover, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petition only.

March 11, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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