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

CRM-M-59629-2024(O&M)

Date of Decision: 08.01.2025

Kundan Kumar and another

...Petitioners

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Chandan Singh Rana, Advocate, for the petitioners.
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.
Mr. Yashpal Thakur, Advocate, for respondent No.2.

N.S.Shekhawat J. (Oral)

CRM-47223-2024

1. Application is allowed as prayed for subject to just exceptions.

CRM-M-59629-2024

1. The petitioners have filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to them in case FIR No.137 dated 19.08.2024 registered under Sections 109, 118(1), 3(5) of BNS, 2023 at Police Station Salem Tabri, District Ludhiana.

2. Learned counsel for the petitioners contends that in the present case, Mohit, injured had suffered serious injuries on his person. However, Mohit was discharged from the Government Medical College Hospital, Chandigarh on 21.08.2024 and he is hale and hearty. The petitioners were arrested in the present case on 19.08.2024 and are in custody since then. The police has conducted investigation in the present case and the final report under Section 173 Cr.P.C. has already been presented before the Court of law. By referring to the compromise deed dated 28.08.2024 (Annexure P-2), learned

counsel submits that both the parties have amicably resolved all their disputes and are live in peacefully. Still further, the trial has not even formally started and the conclusion of the trial may take quite a long time.

3. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that the petitioners were assigned specific roles and the petition deserves to be dismissed by this Court.

4. On the other hand, Mr. Yashpal Thakur, Advocate has appeared on behalf of the complainant and submits that the matter has been amicably resolved between the parties and he has no objection, in case the present petition is allowed by this Court.

5. I have heard rival submissions made by the learned counsel for the parties and perused the record.

6. The injured in the present case has already been discharged on 21.08.2024 and the investigation has been completed by the police, which finally led to the filing of report under Section 173 Cr.P.C. Still further, the parties have resolved all their disputes, which is evident from the compromise deed dated 28.08.2024 (Annexure P-2).

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

08.01.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(N.S.SHEKHAWAT)

JUDGE