

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-26198 of 2015 (O&M)

DATE OF DECISION: 04.09.2015

Ehsaan

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment?**
2. **To be referred to reporters or not?**
3. **Whether the judgment should be reported in the Digest?**

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

Mrs. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

Crl. Misc. No. 28827 of 2015

This application has been filed for placing on record the affidavit of the complainant as Annexure P-3.

Application is allowed and Annexure P-3 is taken on record.

Crl. Misc. No. M-26198 of 2015

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 91 dated 2.6.2015 registered under Sections 420 and 406 IPC at Police Station Division No.7, Jalandhar.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, he was not involved in

any manner. The only allegation against the petitioner is that he accepted some amount for curing the complainant from depression. Learned counsel further contends that now the matter has been compromised between the parties and the complainant has also given her affidavit in this regard, which is annexed as Annexure P-2 with the petition. The complainant has specifically stated in her affidavit that the amount in dispute has been returned to her and now she does not want any legal action to be taken against the petitioner. She has also stated that the FIR may be cancelled or quashed. Learned counsel also submits that no other case of similar nature is pending against the petitioner and he is in custody since 3.6.2015. He further submits that only challan has been presented and charges are yet to be framed and trial will take long time to conclude.

Learned counsel for the respondent-State on instructions from ASI Sukhchain Singh has not disputed the custody period as well as the fact that the matter has been compromised between the parties and now the complainant does not want any legal action to be taken against the petitioner. Learned counsel has also not disputed the fact that no other case is pending against the petitioner.

After hearing the submissions made by learned counsel for the petitioner and also the fact that the petitioner is in custody since 3.6.2015; no other case is pending against him; only challan has been presented and trial will take long time to conclude, the present petition is allowed. Petitioner-Ehsaan is directed to be released on regular bail subject to his furnishing bail/surety bond to the satisfaction of trial Court.

September 04, 2015
pooja

(DAYA CHAUDHARY)
JUDGE