

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

Crl. Misc.M- 22429 of 2017 (O&M)
Date of Decision: July 18, 2017

Sween Singla alias Savi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. A.A. Pathak, Addl. AG Punjab

JAISHREE THAKUR, J. (Oral)

Mr. K.P. Bawa, Advocate, puts in appearance on behalf of respondent No.2-complainant on his own and files the power of attorney, which is taken on record.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.92 dated 24.05.2017, under Sections 406, 498-A, 376, 342, 511 of Indian Penal Code, registered at Police Station City Moga, District Moga.

Learned counsel for the petitioner contends that the petitioner herein is the brother-in-law of the complainant and the matter stands compromised, pursuant to which, a petition under Section 13-B of Hindu

Marriage Act for grant of decree of divorce on mutual consent has already been filed. It is argued that since the matter stands compromised, no useful purpose will be served in keeping the petitioner in custody, therefore, he is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner, he is not required for any further investigation and a compromise has been arrived at between the parties and a petition under Section 13-B of Hindu Marriage Act has already been filed, which is now fixed for January, 2018 for recording the statements in second motion, no useful purpose would be served in keeping the petitioner behind the bars. Therefore, at this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 18, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No