

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

**CRM-M-29261-2017 (O&M)
Date of decision: 04.09.2017**

Jaswinder Singh alias Kaka alias Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. A.S. Sekhon, Advocate,
for the petitioner.

Mr. Abhaypal Singh Gill, Asstt. A.G., Punjab.

JAISHREE THAKUR, J. (ORAL)

CRM-27690-2017

Criminal miscellaneous application is allowed as prayed for.

Annexure P-4 is taken on the record subject to all just exceptions.

CRM-M-29261-2017

The petitioner herein has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 86 dated 30.06.2017, under Sections 354-A/354-B/506 IPC, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner would contend that the petitioner has been in custody for more than two months and the matter stands compromised between the parties.

Mr. Abhaypal Singh Gill, Asstt. A.G., Punjab, has contested the bail application while filing the custody certificate of the petitioner.

An affidavit has been filed in Court by Baljinder Singh, PPS, Deputy Superintendent of Police, Sub Div. Jaitu, District Faridkot, in which it is submitted that after completion of investigation challan has been prepared under Section 173 Cr.P.C. and submitted in Court on 28.08.2017. However, the complainant Kanwaljit Kaur appeared before the Officer Incharge, Police Station Jaitu on 30.08.2017 and made an application that she did not want to pursue with the case as the matter had been compromised between the parties on persuasion of the Panchayat held. In the affidavit, however, it is mentioned that the offence committed by the petitioner is non-compoundable and no compromise can take place in such a matter.

I have heard learned counsel for the petitioner and the learned State counsel.

Without going into the merits of the case and keeping in view the fact that the challan has been presented and the compromise has been arrived at between the parties, no useful purpose would be served by keeping the petitioner behind bars till the conclusion of the trial, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

04.09.2017

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.