(215) IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No. M-11499 of 2018
Date of decision: 23.03.2018

Balwinder Singh

…. Petitioner

Versus

State of Punjab and another

….. Respondents

BEFORE: HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. S.K. Bawa, Advocate for the petitioner.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

Mr. Mukesh Kumar Bhatnagar, Advocate for the complainant/respondent No.2.

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B.S. Walia, J. (Oral)

[1] Prayer in the petition is for grant of regular bail during pendency of the trial in FIR No.0206 dated 20.10.2017 under Sections 304, 279, 337, 338, 427 IPC registered at Police Station Civil Lines, Batala, District Gurdaspur.

[2] Learned counsel for the petitioner states that investigation has been completed. No recovery is to be effected from the petitioner. Challan has been presented. There are total 14 prosecution witnesses. Trial is yet to commence and is likely to take some time, besides, the petitioner has entered into compromise i.e. Annexure P-3 with the complainant.

[3] Notice of motion.

[4] Learned Sr. DAG, Punjab accepts notice on behalf of respondent No.1, while Mr. Mukesh Kumar Bhatnagar, Advocate, puts in appearance on behalf of complainant/respondent No.2 and has filed Power of Attorney. The same is taken on record. He confirms compromise (Annexure P3) having been effected between the parties.

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[4] Learned counsel for the petitioner contends that in the circumstances, keeping the petitioner behind the bars would not serve any purpose, especially since the trial is yet to commence and conclusion of the same would take some time.

[5] Learned Sr. Deputy Advocate General, Punjab does not dispute the factual position as noted above.

[6] In view of the position noted above as also the fact that the petitioner is in custody since 21.10.2017, without expressing any opinion on the merits of the case, I deem it appropriate to order the release of the petitioner on regular bail during the pendency of the trial.

[7] Accordingly, the petitioner is ordered to be released on regular bail during pendency of the trial subject to his furnishing bail bonds to the satisfaction of the learned trial Court i.e. Court of learned Additional Sessions Judge, Gurdaspur.

[8] Petition allowed in above terms.

(B.S. Walia)
Judge

23.03.2018
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1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.

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