

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

**Criminal Misc. No. M-29742 of 2018
Date of decision: 26.09.2018**

Jagtar Singh

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Vivek Goel, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for respondent No.1-State.

Mr. Vikas Garg, Advocate
for respondent No.2.

Daya Chaudhary, J.

The present petition has been filed by petitioner-Jagtar Singh under Section 439 Cr.P.C. for grant of regular bail in case FIR No.159 dated 02.10.2014 registered under Sections 380, 457, 436, 427, 411 IPC at Police Station Bagha Purana, District Moga.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, a theft was committed in the house of the complainant by breaking open the locks thereby causing loss to his property. Subsequently, with the intervention of the Panchayat and other respectable persons, the dispute between the parties was resolved and compromise has been effected vide compromise deed dated 29.01.2018. Complainant-respondent No.2 has specifically stated in his statement that he

does not want to proceed further and has also submitted an affidavit in this regard. The copy of the compromise deed is also annexed as Annexure P-1 with the petition. The petitioner is in custody since 15.03.2017, which comes to more than one year and six months. A petition for quashing of FIR on the basis of compromise i.e., Criminal Misc. No. M-9285 of 2018 has also been filed before this Court wherein parties have been directed to record their statements with regard to compromise. Learned counsel also submits that nothing is to be recovered from the petitioner and no purpose would be served by keeping him in custody.

Learned counsel for respondent No.2 has also affirmed the factum of compromise arrived at between the parties and submits that respondent No.2 has no objection in granting regular bail to the petitioner.

Learned State counsel has not disputed the custody period as well as the factum of compromise arrived at between the parties.

Heard arguments of learned counsel for the parties and have also perused the contents of the FIR and other documents available on the file.

The dispute between the parties has been settled by way of compromise and complainant-respondent No.2 has no objection in granting regular bail to the petitioner.

In view of the submissions made by learned counsel for the parties and by considering the fact that the petitioner is in custody since 15.03.2017; the parties have settled their dispute by way of compromise and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and petitioner, namely, Jagtar Singh is directed to

be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

26.09.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No