

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

Crl. Misc.M-32770-2018 (O&M)
Date of Decision: August 07, 2018

Jaswinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kulbir Singh Sekhon, Advocate
for the petitioner.

Mr. Rajni Gupta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.34 dated 26.06.2018, under Sections 365/34 (Sections 323, 341 added later on) of Indian Penal Code, registered at Police Station Tallewal, District Barnala.

Learned counsel for the petitioner herein contends that the FIR had been registered on the statement of the complainant- Parampreet Kumar that his sister had been abducted by the main accused Harinder Singh and now a compromise has been effected between them and in fact, the said Harinder Singh and sister of the complainant solemnized a marriage on 26.06.2018. The petitioner herein was taken into custody in the aforesaid FIR on 04.07.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that recovery of alleged car involved in the incident has been recovered and no further recovery is to

be effected from the petitioner. It is also argued that the petitioner's name is not reflected in the FIR. The challan is yet to be filed by the police which would take a long time and conclusion of trial will take sufficient time, hence no useful purpose would be served by putting the petitioner behind the bars and therefore, the petitioner 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 grant of regular bail to the petitioner while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that the matter is still under investigation while also admits to the fact that Harinder Singh, main accused has filed a petition i.e. CRM-M-30715-2018 for quashing of the FIR, in which notice of motion has been issued by the Court on 02.08.2018 for 09.10.2018.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the matter stands compromised between the main accused and the complainant and further that the main accused has yet not been arrested, no useful purpose would be served in keeping the petitioner behind bars.

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.

August 07, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No