

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

CRM-M No.43458 of 2019

Date of decision: 9th December, 2019

Jaswinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Lakshay Bector, Advocate
for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab
for the respondent/State.

Complainant/victim in person along with
Mr. Ishmeet Singh, Advocate.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Jaswinder Singh in this second regular bail application under Section 439 Cr.P.C. in case bearing FIR No.13 dated 30.01.2019 under Sections 326-A, 34, 120-B IPC pertaining to Police Station Cantt Jalandhar, District Jalandhar have been levelled by complainant, a girl aged around 25 years. She alleged that on 30.01.2019 around 7.05 a.m. while she was going to board an auto rickshaw, an unknown person rushed to her and rubbed some acidic powder on her face and neck and thereafter, this person sat on a motorcycle which a clean-shaven man with covered face was riding and both of them drove away leading to registration of the present case. It is subsequent thereto, name of the petitioner had cropped up and he was arrested on 04.02.2019.

Learned counsel for the petitioner Mr. Lakshay Bector, Advocate inter alia contends that the complainant has given her affidavit (Annexure P3) that she does not object to allowing bail to the present petitioner as the parties have settled their dispute by way of compromise deed (Annexure P2). The same is not controverted by the complainant who has been identified by her counsel Mr. Ishmeet Singh, Advocate, and has made statement that she has no objection if bail is allowed.

Learned counsel for the petitioner further states that similarly placed co-accused non-applicant Gurdip Singh has already been granted similar relief by this Court vide orders dated 27.09.2019.

In the light of settlement between the two sides and the stand of the complainant/victim as also in view of the principle of parity, without feeling necessity to advert on to the merits of the case, keeping in view that the petitioner is behind bars, this Court is of the opinion that it is a fit case to allow bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jalandhar. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

December 9, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No