

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

207**CRM-M-18007-2020 (O&M)****Date of decision: 17.08.2020****Kamaljit Singh and anr.****.....Petitioners****versus****State of Punjab****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri****Present:** Mr. Amandeep Singh, Advocate, for the petitioners.**Mr. H.S. Sullar, DAG, Punjab.***(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

Petitioners-Kamaljit Singh and Bikram Singh @ Vikramjit Singh, stated to be aged 28 and 29 years, respectively, have jointly filed the present petition under Section 439 Cr. P.C. *inter alia* praying for grant of regular bail in case FIR No.138 dated 19.07.2019, under Sections 376-D, 506 of IPC, registered at Police Station Sarabha Nagar, District Ludhiana.

Learned counsel for the petitioners submits that on 27.07.2020, the present case was ordered to be listed along with CRM-M-32975-2019. In the connected matter i.e. CRM-M-32975-2019, records of the case show that on 17.09.2019, notice of motion was issued. In that case, the prayer was for quashing of FIR No.138 dated 19.07.2019, under Sections 376-D, 506 of IPC, registered at Police Station Sarabha Nagar, District Ludhiana, on the basis of compromise dated 30.07.2019. Learned counsel for the petitioners submits that the petitioners were arrested on 31.03.2020 and they have

entered into a compromise dated 30/31.07.2019, which is appended as Annexure P-2. Based on the said compromise, quashing petition i.e. CRM-M-32975-2019, has been filed.

Learned State counsel, on instructions, submits that there are total of 17 witnesses, but none has been examined till date. He further submits that the challan has been presented on 11.05.2020.

Faced with the situation, learned counsel for the petitioners submits that the trial is likely to take some time as till date, no witness has been examined and also the fact that compromise has been effected between the parties, petitioners may be granted concession of regular bail.

In view of the peculiar facts as noticed above, considering the fact that trial is likely to take some time due to COVID situation and also the fact that the compromise has been effected between the parties, this Court deems it appropriate to direct the release of the petitioners on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

17.08.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No