

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(211)

CRM-M-18299-2020

Date of Decision: August 10, 2020

Jai Fariad Singh alias Mithu

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ankit Kharbanda, Advocate, for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

Ms. Anupam Bhanot, Advocate, for the complainant.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.148 dated 14.12.2019 under Sections 376 and 506 of the IPC registered at Police Station Mehta, District Amritsar Rural.

Learned counsel for the petitioner states that the present allegations were alleged against the petitioner only due to the family dispute which was related to the property as the petitioner is the real brother of the husband of the prosecutrix. Learned counsel for the petitioner further submits that now, the parties have already compromised the matter on 31.07.2020 and the compromise deed is taken on record and as per the said compromise deed, the parties have decided to file a petition for quashing of the FIR itself.

Notice of motion.

Mr. Avtar Singh Sandhu, Additional Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State and Ms. Anupam Bhanot, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of the complainant.

Learned counsel for the complainant does not dispute the execution of the compromise deed dated 31.07.2020. She further states that she is not opposing the grant of bail to the petitioner.

Learned counsel for the respondent-State expresses ignorance about the compromise deed as the same has not been presented before the authorities so far.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the parties have compromised and have decided to live peacefully and considering the fact that the complainant is not opposing the prayer of the petitioner for the grant of regular bail, no useful purpose will be served by keeping the petitioner behind the bars any further.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 10, 2020
harsha/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No