

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

CRM-M-23481-2020 (O&M)
Date of decision : 21.09.2020

Jatin and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Naveen Bawa, Advocate for the petitioners.

Mr. Mehardeep Singh, Addl.A.G., Punjab.

Mr. Vishnu Dutt, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.0138 dated 20.06.2020, registered under Section 306 of the Indian Penal Code, at P.S. Division No.5, Ludhiana.

States that allegedly, the deceased, Des Raj, had some affair with the sister of petitioner No.1 and daughter of petitioner No.2. As per the case of the prosecution, the petitioners instigated the deceased to commit suicide. Further states that a compromise dated 23.07.2020 (Annexure P-3) has been reached between the petitioners, the complainant in the FIR and the legal heirs of the deceased. The petitioners are in custody since 20.06.2020 and are not involved in any other case.

Learned State counsel submits that though, there is no mentioning of date but there are strong allegations against the petitioners.

He, however, admits the fact that the matter stands compromised between the petitioners, the complainant and the legal heirs of the deceased. The challan stands presented but the charges are yet to be framed.

Heard.

Considering the assertions of learned counsel for the petitioners and the facts that the matter stands compromised between the petitioners, the complainant and the legal heirs of the deceased; even the charges have not yet been framed; the petitioners are not involved in any other FIR; this Court feels that no useful purpose would be achieved in keeping the petitioners under further incarceration.

In view of the above, without advertng to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of the trial, on furnishing bail bonds and with two local sureties, to the satisfaction of the trial Court/*Illqa* Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

21.09.2020
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No