In the High Court of Punjab and Haryana at Chandigarh

226 **CRM-M-28962-2020 (O & M)**
Date of Decision: November 18, 2020

RAJ KUMAR .....**PETITIONER**

VERSUS

STATE OF PUNJAB ....**RESPONDENT**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Ms. Sajida, Advocate for the complainant.

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ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.166 dated 23.06.2020, under Section 376 IPC, registered at Police Station Rama Mandi, Jalandhar.

Learned counsel for the petitioner contends that the petitioner is the brother-in-law of the complainant and the FIR is outcome of misunderstanding between the parties with regard to the division of ancestral property. The matter has been amicably settled. He has filed a copy of the compromise arrived at between the parties, which is taken on record. The petitioner is in custody for over 04 months. He is not involved in any other case.

Ms. Sajida, Advocate has put in appearance on behalf of the complainant and states that the matter has indeed been compromised and the complainant has no objection if the petitioner is released on bail.

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Learned State counsel has filed reply by way of affidavit of Commissioner of Police (Central), Jalandhar on behalf of the State, which is taken on record. He upon instructions from Sub Inspector Manpreet Kaur states that although the challan has been filed but none of the prosecution witnesses has been examined. He also contends that the FSL report is still awaited.

In view of the submissions of learned counsel for the petitioner, especially when the complainant has no objection if the petitioner is released on bail, the petitioner is in custody for over 04 months, he is not involved in any other case, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 18, 2020
A.Kaundal

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

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