

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M-29364 of 2020

Date of decision : September 29, 2020

(Through Video Conferencing)

Jalour Singh..... **Petitioner****Versus****State of Punjab and another**..... **Respondents****CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**Present:- Mr. G. S. Bhatia, Advocate
for the petitioner.

Ms. Samina Dhir, DAG., Punjab.

Mr. Parshotam Lal, Advocate
for the complainant-respondent No.2.

Manjari Nehru Kaul, J (oral).

This is the first petition filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 335 dated 20.10.2019 under Sections 376, 323 IPC registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner inter alia contends that on account of a mis-understanding between the prosecutrix and the petitioner that the FIR in question was registered. It has been submitted that in fact the petitioner and the prosecutrix were well acquainted with each other and were in a relationship with each other for more than seven years, preceding the FIR in question. It has been further submitted that pursuant to the lodging of the FIR in question, with the intervention of the relatives and well wishers the differences between the prosecutrix and the petitioner had since been ironed out.

Mr. Parshotam Lal, Advocate has put in appearance on behalf of complainant-respondent No.2-prosecutrix has also admitted that the mis-understandings between the parties had been removed.

Per contra, learned State counsel while opposing the grant of regular bail to the petitioner on instructions from ASI Gurdas Singh has feigned ignorance qua the submissions made by the learned counsel for the parties. She has submitted that the charges have since been framed by the trial court and now the case is fixed for recording of prosecution evidence.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 20.2.2020 and due to the outbreak of the pandemic Covid-19 the trial is unlikely to conclude in the near future, without commenting on the compromise so arrived at between the parties, I deem it a fit case to grant the concession of regular bail to the petitioner. The instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

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

(MANJARI NEHRU KAUL)
JUDGE

September 29, 2020
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No