

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M- 51862-2019 (O&M)

Date of Decision: January 21, 2020

Gurtej Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gopal Singh Nahel, Advocate
for the petitioner.
Mr. Davinder Bir Singh, D.A.G., Punjab.
Mr. Jagdeep Singh, Advocate
for the victim.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 40 dated 27.07.2019, under Sections 363, 366-A, 120-B, 34 Indian Penal Code, registered at Police Station Dharamgarh, District Sangrur.

Learned counsel for the petitioner at the very outset submits that the matter has been settled between the parties while further submitting that the co-accused has also been granted bail. The victim is present in the Court today, who admits to the factum of the compromise. Learned counsel for the petitioner further submits that on account of the said compromise between the parties, a petition for quashing of the FIR on the basis of compromise bearing No. CRM-M-37808-2019 has already been filed in this Court, which is pending consideration for 08.04.2020. He further submits

that the petitioner herein was taken into custody in the aforesaid FIR and has been falsely implicated in the present case and that conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer and victim oppose the grant of regular bail to the petitioner, however, is not in a position to dispute the fact that the matter has been compromised between the parties.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and the fact that the petitioner herein has been in custody since long and in view of the categorical statement made by the victim in the Court today that the matter stands settled between the parties and a quashing petition has already been initiated, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, anything observed or said by this Court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no bearing on the merits of the case.

January 21, 2020

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(JAISHREE THAKUR)
JUDGE

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