

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(204)

CRM-M-2215-2021

Date of Decision: January 22, 2021

Parveen Kumar Sabharwal @ Parshant Kumar

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Brijeshwar Singh Bhalla, Advocate, for the petitioner.

Mr. Manreet Singh Nagra, AAG, Punjab.

Mr. S.P. Singh, Advocate, for the complainant.
(keeping in view the advance copy given).

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.91 dated 17.04.2013, under Sections 419, 420, 170, 171 and 506 of the Indian Penal Code registered at Police Station 'A' Division, District Amritsar.

Learned counsel for the petitioner argues that the parties have already compromised the dispute and after the compromise, even a quashing petition has been filed wherein this Court has directed the parties to get their statement recorded before the trial Court.

Learned counsel for the petitioner submits that in the statements, which have been recorded before the trial Court, the complainant has accepted the compromise between the parties and has also stated that he has no objection with regard to the cancellation of the FIR and has supported his affidavit dated 18.12.2020 (Annexure P-2).

Notice of motion.

Mr. Manreet Singh Nagra, learned Assistant 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 Mr. S.P. Singh, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of the complainant.

Custody certificate of the petitioner has been filed by the learned State counsel and the same is taken on record.

Learned counsel appearing on behalf of the complainant does not dispute the statement which has been recorded above that the parties have compromised and the complainant has no objection if FIR is quashed.

Learned counsel for the respondent-State submits that he has no instructions with regard to the compromise or the statements recorded.

Keeping in view the abovestated facts that the parties have already compromised and have also filed a quashing petition for quashing of the FIR on the basis of the said compromise and even before the trial Court, the complainant has authenticated the affidavit dated 18.12.2020 (Annexure P-2) to the effect that he has no objection in case, the FIR is quashed, no useful purpose will be served in keeping the petitioner behind the bars.

In view of the above, the petitioner has made out a case for the grant of regular bail.

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.

January 22, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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