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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.3016 of 2021 (O&M)

Date of decision: 25.08.2021

Navdeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sarbjit Singh, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

Mr. G.S. Thinda, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.275 dated 19.09.2020, for offence punishable under Section 304 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Kathunangal, District Amritsar.

Counsel for the petitioner has submitted that the FIR was registered on the statement of Laljit Kaur with the allegation that her husband Jaswinder Singh is an agriculturist by profession and she along with her brother-in-law Kanwaljit Singh and Balbir Singh are having a joint tractor and Navdeep Singh (petitioner herein), who is son of Kanwaljit Singh brought a mechanic for the repair of the tractor. When the mechanic was looking at the tractor, her husband stopped him and on that pretext, the petitioner became infuriated and started abusing her

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husband and they had a scuffle with him and gave kick blows on the stomach and testicles of her husband. Due to the injuries given by him, her husband later on, died.

Counsel for the petitioner has further submitted that the matter has been compromised between the parties and Laljit Kaur has already sworn an affidavit dated 06.04.2021 that the matter has been settled between the parties as they are all living in a joint family.

Counsel for the petitioner has even submitted that though, on the basis of the compromise, a petition i.e. CRM-M No.20269 of 2021, has been filed praying for quashing of FIR, in question, however, he do not press the said petition, at this stage.

Reply by way of affidavit of the SHO, Police Station Kathunangal, District Amritsar (Rural) is on record, in which the details of the investigation conducted by the police is disclosed and it is stated that the deceased had died due to the injuries caused by the petitioner.

Counsel for the State on the basis of the Custody Certificate has also not disputed the factual position but opposed the prayer for bail.

Counsel for the complainant has, however, acknowledged the fact that there is a compromise between the parties, considering the fact that the parties are closely related to each other and are living together.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 10 months and 27 days; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required; the matter stood

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compromised between the parties and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

25.08.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No