

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

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CRM-M-8322-2021

Date of Decision: 25.02.2021

Suraj Gupta

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Munish Puri, Advocate for petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab
for respondent No.1-State.

Ms. Deepti Rampal, Advocate for respondent No.2/complainant.

Lalit Batra, J.(Oral)

Power of Attorney filed on behalf of respondent No.2/complainant, is taken on record.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Suraj Gupta** in case FIR No.17 dated 29.02.2020 under Sections 376 and 506 IPC, registered at Police Station Division 2, District Pathankot.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that otherwise the matter has been compromised between the parties as per Compromise Deed dated 25.01.2021 (Annexure P/3). He further submits that petitioner is in custody since 29.02.2020 and he is no more required by the Police for any investigation purpose. He further submits that challan has been presented in

the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail. Learned counsel for the complainant has given concurrence to the factum of compromise between the parties.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 29.02.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-Suraj Gupta is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Pathankot, as the case may be.

(LALIT BATRA)
JUDGE

25.02.2021

VP/jitender

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