

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

CRM-M No.10216 of 2021 (O&M)

Date of Decision:07.07.2021

(Heard through VC)

Amit Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Suksham Aggarwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Sonia, complainant in person.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.214 dated 14.10.2020 registered under Sections 417, 376, 506 IPC at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR. It is argued that in fact, a compromise has been arrived at between the parties and statement of the prosecutrix has also been recorded before the trial Court wherein she admits to the factum of compromise. The investigation has been completed and the challan stands presented, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes grant of bail to the petitioner by contending that the allegations levelled against him are serious in nature, however, she does not dispute the fact that statement of

the prosecutrix has been recorded before the trial Court wherein she admits the compromise arrived between her and the petitioner herein.

The complainant/prosecutrix appeared before the Court through the medium of video conferencing and upon a specific query raised by this Court whether she entered into a compromise with the petitioner or not, she answered in positive.

I have heard learned counsel for the parties. Keeping in view the fact that a compromise has arrived at between the petitioner and the complainant/prosecutrix and she has also recorded her statement before the trial Court to that effect and the fact that the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

July 07, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No