

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

CRM-M No.10845 of 2021 (O&M)

Date of Decision:02.07.2021

(Heard through VC)

Jagdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Amandeep Gill, Sr. DAG, Punjab.

Mr. B.S. Bhalla, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioners in FIR No.203 dated 08.10.2020 registered under Sections 376-D and 328 IPC at Police Station Mohkampura, District Amritsar.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR. It is contended that initially in the first two statements given by the prosecutrix, who is a married woman, he was not named as an accused, who had committed offence under Section 376-D IPC. It is only in a supplementary statement thereafter that he was implicated on the ground that car used for the purpose of commission of alleged offence was of the petitioner and he was also present in the said car.

De hors the said allegations, counsel for the petitioner would

contend that the matter has been compromised between the parties and the complainant would have no objection in case bail is granted to the petitioner. The matter has been investigated 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 and charges are yet to be framed, however, he does not dispute the fact that the matter has been investigated and the challan stands presented.

Learned counsel appearing on behalf of the complainant admits to the factum of compromise and would submit that the complainant would have no objection in case regular bail is granted to the petitioner.

I have heard learned counsel for the parties. Keeping in view the fact that the matter has been compromised between the parties and the challan stands presented 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 02, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No