

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

110/2

**CRM-17157, 17158, 17159-2021 in
CRM-M-14723-2021.**

Date of Decision: 12.07.2021.

Jatinder Singh @ Thakur

....Applicant/Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Ms. Shivya Sehgal, Advocate and
Mr. Sachin Kalia, Advocate for
Mr. G.S. Jagpal, Advocate for applicant/petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. Karan Padam, Advocate for complainant.

Lalit Batra, J.(Oral)

CRM-17157-2021

Copy of compromise Annexure A/1 is taken on record, subject
to all just exceptions.

CRM is allowed.

CRM-17158-2021

This application under Section 482 Cr.P.C. is for taking up the
main case, which is already fixed for 11.08.2021.

Notice of application.

At the asking of Court, learned State counsel accepts notice and
stated that he has no objection if the main petition is taken on Board.

In view of the grounds mentioned in the application and no
objection by learned State counsel, hearing of the main petition is preponed
and the main petition is taken on Board today itself.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Jatinder Singh @ Thakur** for grant of regular bail in case FIR No.8 dated 30.01.2021 under Section 379-B(2) IPC read with Section 34 IPC, registered at Police Station Shimlapuri, District Ludhiana.

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. She further submits that petitioner is in custody since 05.02.2021 and he is no more required by the Investigating Agency for any investigation purpose. She further submits that after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. She further urges that matter has already been compromised between petitioner and complainant, vide compromise dated 09.06.2021 (Annexure A/1). She further submits that since trial of 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 complainant while giving concurrence to the compromise submits that petitioner may be released on bail.

I have heard learned counsel for the parties and carefully gone through the records.

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 05.02.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and since 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-**Jatinder Singh @ Thakur** 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, Ludhiana, as the case may be.

CRM-17159-2021

Since the main petition itself has been allowed, instant applications stands disposed of accordingly.

(LALIT BATRA)
JUDGE

12.07.2021

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No