

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

CRM-M No.16582 of 2021 (O&M)

Date of Decision:09.07.2021

(Heard through VC)

Kulvir Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Maninder Singh Saini, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Kanchan Rai, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.313 dated 06.12.2020 registered under Section 306 IPC (earlier 304-B, 34 IPC) at Police Station City Phagwara, District Kapurthala.

Learned counsel for the petitioner herein would contend that in fact, the matter stands compromised as would be reflected from the affidavit of the complainant that has been furnished with pleadings. It is argued that the matter has been investigated and the challan stands presented, therefore, custody of the petitioner would no longer be required.

Whereas learned counsel appearing for the respondent-State would submit that the petitioner herein has been nominated as an accused under Section 306 IPC.

At this stage, appearance has been caused on behalf of the complainant, who does not oppose grant of regular bail to the petitioner, while contending that the FIR had been got registered under misapprehension and on account of misunderstanding.

I have heard learned counsel for the parties and have perused the affidavit wherein the complainant has clearly stated that he would have no objection in case the FIR is quashed and the petitioner released on bail. Keeping in view the fact that the matter has been investigated and the challan stands presented, 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 09, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No