

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

CRM-M-23252-2021 (O&M)

Date of Decision: 02.07. 2021

(Heard through VC)

Kishore Kumar Pal

... Petitioner

Versus

State of Punjab and another

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajiv Joshi, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail pending trial to the petitioner in case FIR No. 228 dated 16.07.2020 under Sections 354, 458, 509, 427, 323, 148, 149 of Indian Penal Code and Section 67 of the Information Technology Act, 2000 and the offences under Section 376-D, 365, 506 IPC and Section 25, 27 of Arms Act added later on registered at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR. Learned counsel would rely upon the medical and the FSL report which do not substantiate the allegations under Section 376-D IPC against the petitioner herein. It is also argued that

a compromise has been effected between the parties, which is duly noted by the Division Bench of this Court vide order dated 04.01.2021 in CRM-M-32797-2020 titled as Mohinder Pal vs. State of Punjab and CRM-M-34718-2020 titled as Vijay and others vs. State of Punjab.

Learned counsel for the respondent-State, on instructions from the Investigating Officer opposes grant of regular bail to the petitioner, however, she does not dispute the fact that the matter stands compromised between the parties.

I have heard learned counsel for the parties and have also perused the paper book. Keeping in view the fact that the matter has been compromised between the parties and 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 any longer. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of adequate personal/surety bonds 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.

02.07.2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No