

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

CRM-M No.28005 of 2021 (O&M)

Date of Decision:28.07.2021

(Heard through VC)

Jaswinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parvesh Sachdeva, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.57 dated 26.06.2018 registered under Sections 376, 366, 450 IPC at Police Station Khuian Sarwar.

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the said matter, as would be evident from the fact that the matter stands compromised between the parties. It is argued that a petition bearing CRM-M No.23120 of 2021 has already been preferred in the High Court for quashing of the FIR on the basis 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 petitioner was initially a proclaimed offender and now is in custody under Section 376 IPC among others. It is

also submitted that he has been nominated as an accused in another FIR under the NDPS, however, he does not dispute the fact that the investigation has been completed and the challan stands presented.

I have heard learned counsel for the parties. Keeping in view the fact that investigation has been completed and the challan stands presented and moreover, the matter has been compromised between the parties and the fact that the trial is likely to take some time to conclude, 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 28, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No