

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29725-2022 (O&M)

Date of Decision: 21.12.2022

Kulwant Singh alias Lovely

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Munish Raj Chaudhary, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.0140 dated 11.4.2022 registered for the offences punishable under Sections 451, 379-B, 323, 324, 201, 34 IPC (Section 326 IPC added later on) at Police Station City Barnala, District Barnala.

Counsel for the petitioner *inter alia* contends that the petitioner is falsely implicated in the present case and is languishing behind the bars for the last more than 8 months and now the matter has been compromised and on the basis of the said compromise, quashing petition stands filed having CRM-M-56659-2022 in which the Court has already given directions to the parties to get record their statements with regard to the compromise and the next date fixed in the said petition is 23.3.2023. Copies of the aforesaid compromise deed and order passed in CRM-M-56659-2022 are available on record.

Mr. Supneet Singh, Advocate appearing for Mr. Pradeep Singh, Advocate has put in appearance on behalf of the complainant and has not disputed the fact of compromise which has been effected between the parties and he further submits that his power of attorney is available on the record of CRM-M-56659-2022. He further submits that even the statements of the parties have been recorded by the Court concerned with regard to the aforesaid compromise.

State counsel on instructions from ASI Pardeep Kumar submits that indeed, statements of the parties are recorded by the Court concerned with regard to the compromise which is stated to be effected between the parties.

I have considered the submissions made by the counsel for the parties.

As per custody certificate furnished by the State counsel, custody of the petitioner comes out to be more than 8 months.

Admittedly, it appears that now compromise has been effected between the parties. So, no useful purpose is going to be served by detaining the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

December 21, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No