

218 **IN THE HIGH COURT OF PUNJAB & HARYANA**
AT CHANDIGARH
(through video conferencing)

CRM-M-45330-2021 (O&M)
Date of decision: 24.02.2022

Ishan Khan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mahipal Singh Yadav, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. R.K.Kachura, Advocate for
Mr. G.N.Malik, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-6130-2022

Allowed as prayed for and compromise dated 03.02.2022 is taken
on record subject to all just exceptions.

Main case

Instant petition has been filed under Section 439 Cr.PC for grant
of regular bail to the petitioner in case FIR No.84 dated 28.07.2021 under
Sections 377/498-A/323/506 read with Section 34 IPC (Section 406 IPC added
later on) registered at Police Station City 2, Malerkotla District Sangrur.

Learned counsel for the petitioner *inter alia* contends that it was
on account of a marital discord and some temperamental differences between
the petitioner and his wife i.e. complainant, FIR in question came to be
registered. He submits that trial is unlikely to conclude in the near future as
only challan stands presented. He further submits that since the investigation is
complete, his further incarceration in the facts and circumstances would not

serve any useful purpose. It has also been submitted that subsequently the parties have amicably resolved all their disputes.

Learned counsel appearing for the complainant does not dispute the submissions made by counsel opposite that parties have amicably resolved their dispute. He on instructions does not oppose the prayer made by counsel opposite for extending the concession of bail to the petitioner.

Learned State counsel on instructions from ASI Harjinder Singh has submitted that 20 prosecution witnesses have been cited and charges are likely to be framed on 28.02.2022.

Heard learned counsel and perused the relevant record.

In the facts and circumstances, as enumerated hereinabove coupled with the fact that parties have resolved their dispute pertaining to the allegations levelled in the FIR in question, which emanates from a matrimonial dispute, this Court deems it appropriate to extend the concession of bail to the petitioner, the present petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

24.02.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No