

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 284-2023 (O&M)
Date of Decision: 12.01.2023

Varinder Singh alias Sunny

... Petitioner

V/s

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Amandeep Saini, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

Mr. R.S. Sekhon, Advocate
for the complainant.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 233 dated 11.12.2022, under Sections 379-B and 34 of IPC registered at Police Station City Rupnagar, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner is in custody since 11.12.2022. He submits that the petitioner has been falsely implicated in the present case only on the basis that he was in talking terms with the main accused and that is why his name has been

nominated. He further submits that there is an inordinate delay of 10 days in filing of the present FIR and the matter has also been compromised between the family members of the petitioner and the complainant, who are the co-villagers and the Compromise Deed is annexed with the petition as Annexure P-3 and that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate filed by the respondent-State is taken on record.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that no recovery has been effected from the petitioner and the matter stands settled between the parties and there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 13.12.2022.

It is not a case made out by the respondent-State that concession of bail if granted to the petitioner would hamper the course of free and fair trial. Further, since matter stands settled between the parties and there is no other case pending against the petitioner and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail

subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

12.01.2023
seema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>