

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 9857-2023 (O&M)

Date of Decision: 01.03.2023

Kulwinder Singh alias Bugga

... *Petitioner*

V/s.

State of Punjab

... *Respondent*

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

Present : Mr. Surinder Thakur, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 176 dated 20.10.2022, under Sections 379-B IPC and Section 411 IPC (added later on vide DDR No. 47 dated 20.10.2022) registered at Police Station Bullowal, District Hoshiarpur, Punjab.

Learned counsel for the petitioner contends that the petitioner is in custody since 22.10.2022. He submits that the petitioner has been falsely implicated in the present case as the petitioner and the complainant are known to each other and due to an altercation between both of them, the present FIR came to be registered. He further submits that the matter stands compromised between the parties and the said compromise deed has been annexed as Annexure P-3 and no other case is pending against the petitioner and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though 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, however does not dispute the fact that matter stands compromised between the parties.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 22.10.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the matter stands compromised and there are no antecedents 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

01.03.2023
seema

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