

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.12062 of 2023

Date of decision: 1st May, 2023

Jagdeep Singh @ Jaggi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manik Makkar, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

Ms. Tarranum Madan, Advocate for
Mr. Deepak Jaglan, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

This is second petition filed by the petitioner under Section 439 Cr.P.C. in case FIR No.249 dated 01.12.2022 under Sections 379-B, 411, 34 IPC registered at Police Station Kotwali Patiala, District Patiala.

Learned counsel for the petitioner inter alia submits that subsequent to the withdrawal of the previous petition in January 2023, the investigation had been completed by the investigating agency and challan also presented. He further submits that subsequent to the filing of challan, the parties had also ironed out their differences and effected an amicable settlement, on the basis of which they would be approaching this Court for quashing of the FIR in question. Learned

counsel submits that the petitioner has been in custody since 01.12.2022 and charges are likely to be framed on the next date of hearing fixed before the trial Court. He thus submits that in the circumstances, further incarceration of the petitioner would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not been able to controvert that investigation in the case in hand, is complete and challan was presented in January 2023. However, he submits that the charges are likely to be framed on the next date fixed before the trial Court, i.e. 03.05.2023.

Learned counsel representing the complainant does not dispute the submissions made by the counsel opposite that subsequent to registration of the FIR in question, parties have amicably settled their dispute. She also does not oppose the prayer made by the learned counsel for the petitioner for extending him the concession of bail.

I have heard learned counsel for the parties and perused the relevant material on record.

The petitioner has been in custody since 01.12.2022 and there is no likelihood of the trial concluding in the near future as charges have not yet been framed. In the facts and circumstances, as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and

the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 1, 2023
rps

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