

CRM-M- 26559-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 26559-2023 (O&M)

Date of Decision:30.05. 2023

Jaswinder Singh alias Happy

... Petitioner

V/s.

State of Punjab

... Respondent

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

Present : Mr. Kulwant Singh, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab.

Mr. Jaiveer Singh, 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. 217 dated 06.11.2022, under Sections 308, 323, 325, 506, 148 and 149 IPC registered at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner is in custody since 24.02.2023 and the matter stands settled between the

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parties (Annexure P-3) on 25.02.2023, wherein the complainant has stated that he has no objection in case the present FIR is quashed. He also contends that the challan stands presented and conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Learned counsel appearing on behalf of the complainant has also not disputed the fact that the matter stands compromised between the parties.

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 ASI Gurmail Singh, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and he is involved in two other cases as well, however, does not dispute the fact that the challan stands presented on 22.05.2023 and the matter stands settled between the parties to the dispute.

Confronted with the same, learned counsel for the petitioner submits that the petitioner has been granted concession of bail in both the cases.

Petitioner is in incarceration since 24.02.2023.

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 challan stands presented and the matter stands settled between the parties to the dispute 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

30.05. 2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No