

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 213

Criminal Miscellaneous No.M-27770 of 2022 (O&M)

Date of Decision: *March 09, 2023*

Nirmal Singh

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

. . .

Tribhuvan Dahiya, J (Oral)

CRM-42997-2022

The application is allowed.

The compromise deed dated 27.09.2022 is taken on record
as Annexure P-4.

Main case

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.53 dated 25.05.2022, under Section 354-A IPC and Section 12 of POCSO Act, 2012, registered at Police Station Rangar Nangal, District Batala.

2. Learned counsel for the petitioner contends that during trial the complainant, and her parents have testified, but have not supported the prosecution version. The petitioner as well as the complainant are neighbours, and only on account of some misunderstanding the FIR in question was lodged. The parties have now settled their disputes amicably

by way of compromise deed dated 27.09.2022 (Annexure P-4).

3. Learned State counsel, on instructions from ASI Daljit Singh, opposes the grant of bail by submitting that trial of the case is going on, and complainant, her father and two other witnesses have been examined. The remaining seven witnesses will soon be examined. It is not denied that petitioner is in custody since 26.05.2022, and there is no other case against him.

4. In view the facts aforestated it is apparent that a compromise has been effected between the parties amicably settling their disputes. Besides, material prosecution witnesses already stand examined, and trial will take some time to conclude. The petitioner has no criminal antecedents.

5. Therefore, the petition is allowed and the petitioner is ordered to be released on bail on furnishing of requisite bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

March 09, 2023

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(Tribhuvan Dahiya)

Judge

Whether Speaking/ Reasoned:

Whether Reportable:

Yes/ No

Yes/ No