

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**230-1****CRM-M No.49592 of 2023****Date of Decision : 08.12.2023**

Joga Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Anmol Puri, Advocate for the petitioners.

Mr. Harjinder Singh Sidhu, AAG Punjab for respondent No.1.

Mr. Aharjot Grewal, Advocate for

Mr. Shreesh Kakkar, Advocate for respondent No.2.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.79 dated 26.07.2023 under Sections 323, 316, 498-A, 406, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Mallanwala, District Ferozepur.

2. Learned counsel for the petitioner would contend that the petitioner herein is the father-in-law of the complainant and that the complainant has since been examined and she has not supported the case of the prosecution. Learned counsel for the petitioner would further contend that the parties have also arrived at a compromise and have preferred a petition being CRM-M-50792-2023 for quashing of the FIR on the basis of

compromise. The petitioner has been in custody for a period of 03 months and 28 days.

3. Learned State counsel has filed the custody certificate as per which the petitioner has been in custody for a period of 03 months and 28 days. Learned State counsel on instructions from ASI Darshan Singh is not in a position to deny that the victim/complainant does not support the case of the prosecution.

4. I have heard learned counsel for the parties.

5. In the present case the petitioner is the father-in-law of the complainant and has been in custody for a period of 03 months and 28 days. The complainant has since been examined and she has not supported the case of the prosecution. The parties have also settled all their disputes and have filed a petition for quashing of the present FIR.

6. In view of the above and without commenting upon the merits of the case, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Additional Sessions Judge (Duty) concerned.

7. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

8. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

9. Disposed off. Pending applications, if any, also stand disposed off.

08.12.2023
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO