

**215 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-59087-2022 (O&M)

Date of Decision: 31.01.2023

DAMAN

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA J.

The petitioner is seeking regular bail in the case bearing FIR No. 218 dated 16.11.2022 under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Basti Bawa Khel, Jalandhar.

Custody certificate filed and the same is taken on record.

Learned counsel for the petitioner contends that matter has been compromised between the parties and complainant has been duly compensated. He further submits that petitioner is in custody since 24.11.2022 and has faced incarceration of a period of 02 months and 07 days and investigation of the case is complete.

Mr. G.S. Rawat, Advocate has put in appearance on behalf of the complainant, filed his power of attorney, same is taken on record and admitted the factum of compromise (Annexure P-3).

On the other hand, learned State Counsel has filed his custody certificate but could not dispute the fact that matter has been compromised between the petitioner and the complainant and further that investigation of

the case is complete.

Having heard learned counsel for the parties and gone through the case file and custody certificate, it is significant to note that the petitioner is in custody for a period of 02 month and 07 days. Investigation of the case has been completed and matter stands compromised between the parties and the offence alleged to have been committed by the petitioner does not fall under the category of heinous crime. Conclusion of the trial shall take considerable long time. No useful purpose would be served by keeping the petitioner in further incarceration.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making 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 concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

31.01.2023
Ajay Goswami

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No