

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4882-2024
DECIDED ON: 07.02.2024

CHARAN SINGH @ KARAN

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Sanish Girdhar, AAG Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C., seeking regular bail to the petitioner in FIR No.176, dated 06.11.2021, under Sections 307, 148, 149 of IPC, 1860 and Sections 25 & 27 of Arms Act, 1959, registered at Police Station Majitha, Amritsar.

2. Learned counsel for the petitioner submits that during the pendency of present petition, the parties have entered into a compromise dated 01.02.2022 (Annexure P-2).

3. Mr. Ajay Kumar, Advocate has put in appearance on behalf of victim and filed his memorandum of appearance today in Court. He does not controvert the factum of compromise.

4. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record.

5. Be that as it may, considering the fact that the petitioner has suffered incarceration of 9 months and 16 days, as is evident from the custody certificate and

the conclusion of trial shall take sufficient time, as charges are yet to be framed, no useful purpose would be served by keeping the petitioner behind bars, which would also violate the principle of right to speedy trial and expeditious disposal under Article 21 of Constitution of India, as has been time and again discussed by this Court, while relying upon the judgment of the Apex Court passed in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*.

6. This Court is also sanguine of the fact that the parties have entered into a compromise and the possibility of acquittal of the petitioner cannot be ruled out at this stage, while considering the petition for regular bail.

7. In the light of above, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. The present petition is hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

07.02.2024

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>