

2025.PHHC:083692



223

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

**CRM-M-35135-2025
DECIDED ON: 11.07.2025**

UMESH KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Kalsi, Advocate
for the petitioner.

Mr. Rajiv Verma, Senior DAG Punjab

Mr. Jagmeet Singh Moudgil, Advocate
for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 483 BNSS, 2023 seeking regular bail to the petitioner in case FIR No. 43, dated 13.03.2025, under Sections 318(4), 316(2), 336, 338, 336(2), 340, 61(2), 305, (section 238 added later on) of BNS, registered at Police Station Lehra, District Sangrur, during the pendency of the trial.

2. Contentions:

On behalf of the petitioner

At the outset, learned counsel for the petitioner submits that the matter has been compromised between the parties on the basis of compromise

dated 13.06.2025 (Annexure P-2), with the intervention of the respectable of the society.

On behalf of the State

On the other hand, learned State Counsel has filed the custody certificate of the petitioner, which is taken on record. According to which, the petitioner is behind bars for 1 month and 1 month.

Learned counsel appearing for the complainant admits the factum of compromise and submits that the complainant has no objection in case the petitioner is admitted on bail.

3. **Analysis**

Considering the fact that the matter has already been settled between the parties on the basis of compromise dated 13.06.2025 (Annexure P-2) and the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the view that no useful purpose would be served by keeping the petitioner behind bars for uncertain period, wherein “*bail is a rule and jail is an exception*” and it 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.***

4. **Relief:**

In view of the discussions made hereinabove, the petitioner is hereby directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

In the afore-said terms, the present petition is hereby allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.07.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No