
(2021) 01 P&H CK 0288

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous Petition (M) No. 2215 Of 2021

Parveen Kumar
Sabharwal @ Parshant
Kumar

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision: Jan. 22, 2021

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 170, 171, 419, 420, 506

Hon'ble Judges: Harsimran Singh Sethi, J

Bench: Single Bench

Advocate: Brijeshwar Singh Bhalla, Manreet Singh Nagra, S.P. Singh

Judgement

Harsimran Singh Sethi, J

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.91 dated 17.04.2013, under

Sections 419, 420, 170, 171 and 506 of the Indian Penal Code registered at Police Station 'A' Division, District Amritsar.

Learned counsel for the petitioner argues that the parties have already compromised the dispute and after the compromise, even a quashing petition

has been filed wherein this Court has directed the parties to get their statement recorded before the trial Court.

Learned counsel for the petitioner submits that in the statements, which have been recorded before the trial Court, the complainant has accepted the

compromise between the parties and has also stated that he has no objection with regard to the cancellation of the FIR and has supported his affidavit

dated 18.12.2020 (Annexure P-2).

Notice of motion.

Mr. Manreet Singh Nagra, learned Assistant Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view

the service of advance copy of petition, accepts notice on behalf of the respondent-State and Mr. S.P. Singh, Advocate, who has also joined the

proceedings through video conference, accepts notice on behalf of the complainant.

Custody certificate of the petitioner has been filed by the learned State counsel and the same is taken on record.

Learned counsel appearing on behalf of the complainant does not dispute the statement which has been recorded above that the parties have

compromised and the complainant has no objection if FIR is quashed.

Learned counsel for the respondent-State submits that he has no instructions with regard to the compromise or the statements recorded.

Keeping in view the abovestated facts that the parties have already compromised and have also filed a quashing petition for quashing of the FIR on

the basis of the said compromise and even before the trial Court, the complainant has authenticated the affidavit dated 18.12.2020 (Annexure P-2) to

the effect that he has no objection in case, the FIR is quashed, no useful purpose will be served in keeping the petitioner behind the bars.

In view of the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the

satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of

default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.