

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

**CRM-M-20389-2020  
Date of decision: 08.09.2020**

**Manmohan @ Moni**

**...Petitioner**

**Versus**

**U.T., Chandigarh**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. A. P. Kaushal, Advocate  
for the petitioner.

Mr. Rajeev Anand, Addl. P. P., U.T., Chandigarh.

**ARVIND SINGH SANGWAN, J. (Oral)**

This is the second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 440 dated 11.12.2017, registered under Sections 386, 506, 34 of the IPC (Sections 364-A, 395, 201 of the IPC added later on) and Section 25, 54, 59 of the Arms Act at Police Station Sector 36, Chandigarh.

The first petition bearing CRM-M-6229-2020 was disposed of on 18.02.2020 with a direction to the trial Court to conclude the trial expeditiously preferably within a period of four months from the date of passing the order.

Learned counsel for the petitioner submits that new ground for filing the present petition is that trial is not proceeding and other accused have been granted concession of regular bail.

Learned counsel for the petitioner further submits that the matter stands compromised between the parties and all the accused persons have filed a petition bearing CRM-M-31201-2019 seeking quashing of the present FIR on the basis of the compromise, in which vide order dated 23.07.2019,

the parties were directed to appear before the trial Court for recording of their statement in support of the compromise.

Learned counsel for the petitioner further submits that in pursuance to aforesaid order, complainant Mohd. Kalam has already appeared before the trial Court and has made statement that he has arrived at a compromise with all the accused persons.

In pursuance to order dated 28.07.2020, the trial Court has also submitted a report to the effect that complainant has already appeared before it and has supported the compromise and now the case is fixed for final arguments as it was delayed due to pandemic situation in country.

Learned counsel further submits that petitioner is in judicial custody for the last more than two years and eight months and he is not involved in any other case.

Learned counsel, appearing for U.T., Chandigarh, has not disputed the factual position and as per the custody certificate, filed today, the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances of the case as well as the report of the trial Court, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

**08.09.2020**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned  
Whether reportable*

*Yes/No  
Yes/No*