

CRM-M-41095-2021

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

CRM-M-41095-2021 (O & M)

Date of decision: 10.11.2021

Khushbu Mahant @ Mohd. Jahid, Chela Raju Mahant

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mohd. Yousaf, Advocate,
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. Abdul Aziz, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

CRM-34268-2021

This is an application under Section 482 Cr.P.C. for an early hearing of the main petition i.e. CRM-M-41095-2021, which is fixed for hearing on 16.11.2021.

Learned State counsel and learned counsel for the complainant submit that they have no objection, if the present application is allowed.

In view of the above, the present application is allowed and the date of hearing of the main petition is preponed from 16.11.2021 to that of today and the same is taken on the Board for hearing.

CRM-M-41095-2021

Through this petition, the petitioner seeks regular bail in case bearing FIR No.77 dated 07.07.2021, registered at Police Station City II,

CRM-M-41095-2021

Malerkotla, District Sangrur, under Sections 307, 452, 323, 436, 148 and 149 IPC.

Learned counsel for the petitioner contends that the only allegation against the petitioner is that he had used filthy language against the complainant and others; that the petitioner has been in custody since 09.07.2021; that moreover, a compromise was effected between the parties on 28.08.2021, and that co-accused, namely Owais alias Owais Zahid and Muzammil @ Bali Wala, stand enlarged on *ad interim* pre-arrest bail by this Court, vide order dated 08.11.2021 passed in CRM-M-46604-2021. In such circumstances, learned counsel prays that the petitioner be released on bail. It is also submitted that co-accused, namely, Billi Mahant @ Iqbal Mohd. stands enlarged on regular bail by this Court, vide order dated 24.09.2021 passed in CRM-M-38925-2021.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, submits that the allegations against the petitioner are serious in nature.

However, learned counsel for the complainant submits that the matter has been compromised between the parties, who are neighbours.

I have heard the learned counsel for the parties.

The only attribution to the petitioner is that he had used abusive language against the complainant and others. The petitioner has been in custody since 09.07.2021. Moreover, the matter has been compromised between the parties. Trial is unlikely to conclude any time soon. As stated above, co-accused, namely, Owais alias Owais Zahid and Muzammil @ Bali Wala stand enlarged on *ad interim* pre-arrest bail while

CRM-M-41095-2021

co-accused, namely, Billi Mahant @ Iqbal Mohd. on regular bail by this Court. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

10.11.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No