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

CRM-M No.7276 of 2022 (O&M)

Date of decision: 24.02.2022

Simarpreet Singh @ Ghugi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Ajay Kumar, Advocate for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this 2nd petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.194 dated 10.10.2021, for offence punishable under Sections 379-B, 34, 411 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Division E, District Amritsar City.

The earlier one was dismissed as withdrawn on 28.01.2022.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of the complainant on 10.10.2021, he came to Tahli Sahib Market for purchasing cloth and was carrying Rs.5.00 lacs alongwith a cheque book. On the way, one Sikh person along with another person grappled him and snatched away his bag. The complainant, thereafter, got his supplementary statement recorded and on the basis of the secret information, the accused persons were arrested later.

Counsel for the petitioner has argued that now the matter stands compromised between the parties and the petitioner is not involved in any other case and he is in custody for the last 04 months and 10 days.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Counsel for the complainant has also acknowledged that there is a valid and genuine compromise arrived at between the parties.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 04 months and 10 days; the matter stood compromised between the parties; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

24.02.2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No