

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7779-2022

Date of decision: 28.02.2022.

Sonu Yadav @ Sonu Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR JUSTICE VINOD S. BHARDWAJ

Present: Mr. G.S.Verma, Advocate, for the petitioner.

Ms. Gunkirat Kaur, Assistant Advocate General, Punjab.

VINOD S. BHARDWAJ, J.(oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail to the petitioner in case FIR No. 310 dated 20.10.2021, under Sections 379-B read with Section 34 of IPC, registered at Police Station Focal Point, District Ludhiana (Punjab).

Learned counsel for the petitioner *inter alia* contends that the investigation in the case is already complete and the recovery already stands effected from the spot itself. It is further pointed out that the compromise has already been effected amongst the parties on 01.12.2021 (Annexure P-3) and that a quashing petition on the basis of compromise has also been filed before this Court bearing CRM-M-52542 of 2021. The said quashing petition is now stated to be listed on 28.04.2022 and the parties have been directed to get their statements recorded. It is contended that as the parties have amicably resolved the issue and the petitioner has been in custody since 21.10.2021, no purpose would be served by continued detention of the petitioner.

Learned State counsel does not dispute the fact that the petitioner has no other case and that his antecedents are clean. She, however, opposes the grant of bail to the petitioner considering that offence under Section 379-B

has been committed by the petitioner.

I have heard learned counsel for the parties and considering the period of custody as also the aspect that the matter has been resolved between the parties and that any further incarceration in custody may not advance the interest of justice, the petitioner is enlarged on bail. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

28.02.2022
hemlata

(VINOD S. BHARDWAJ)
JUDGE

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