

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10024-2022 (O&M)
Date of decision: 14.03.2022

Danish Kashyap @ Kali @ Danesh Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.194 dated 10.10.2021 under Sections 379-B, 34, 411 IPC, registered at Police Station Division E, District Amritsar.

Learned counsel for the petitioner relies upon the order dated 24.02.2022 passed in CRM-M-7276-2022, vide which co-accused Simarpreet Singh @ Ghungi has been granted the concession of regular bail. The operative part of the order reads as under: -

“...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/Illaq Magistrate/Duty Magistrate...”

For the sake of brevity, facts are not reproduced again.

Learned counsel for the petitioner submits that the petitioner is in custody for the last 04 months and 26 days and is not involved in any other case.

Learned State counsel, on the basis of custody certificate dated 12.03.2022 filed in the Court today, has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

14.03.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No