

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

205

**CRM-M-12881-2022
Date of decision: 01.04.2022**

ARVIND SHARMA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Saurav Kanojia, Advocate
for the petitioner.

Ms. A.K. Khurana, DAG, Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

1. The instant petition is for seeking concession of regular bail in case FIR No. 310 dated 20.10.2021 under Sections 379-B read with Section 34 IPC registered at Police Station Focal Point, District Ludhiana (Punjab).

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner has clean antecedents that he has been falsely implicated in the aforesaid case. He further submits that investigation of the case is already complete and the recovery had been effected from the spot itself. It is further submitted that a compromise has been effected between the parties on 01.12.2021 and that a quashing of the petition on the basis of such compromise has also been filed before this Court bearing CRM-M-52542 of 2021. The said quashing petition is now listed for 28.04.2022. It is contended that the parties have amicably resolved the issue. The petitioner is in custody since 22.10.2021 and has already undergone an actual custody of 05 months and 10 days. It is also argued that co-accused of the petitioner

namely Sonu Yadav @ Sonu Kumar has already been granted the concession of regular bail by this Court vide order dated 28.02.2022 passed in CRM-M-7779-2022.

3. Ms. A.K. Khurana, DAG, Punjab does not dispute the aforesaid factual matrix.

4. I have heard learned counsel appearing on behalf of the respective parties.

5. In view of the facts noticed above and taking into consideration the custody period undergone and the dispute in question having been amicably resolved between the parties, any further incarceration of the petitioner in custody may not advance the interest of justice. Hence, I deem it appropriate to enlarge the petitioner on bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. 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.

8. 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.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 01, 2022

vishal sharma

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