

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

**CRM-M-12751 of 2022(O&M)
Date of Decision: 31.03.2022**

Krishna Yadav

...**Petitioner**

Versus

State of Punjab

...**Respondent**

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Ashish Soi, Advocate
For the petitioner.**

Mr. M.S. Nagra, AAG Punjab.

**Mr. Sandeep Sharma, Advocate
for the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 25 dated 01.02.2022, registered under Section 379-B IPC at Police Station Focal Point, District Ludhiana.

Learned counsel for the petitioner contended that false case has been registered against the petitioner. It is further contended that the alleged recovery has already been effected in this case and petitioner is behind the bars for the last more than one month. He further submitted that even otherwise, the matter has been compromised with the complainant and as such the petitioner is entitled to grant of regular bail.

Mr. Sandeep Sharma, Advocate who has put in appearance on behalf of the complainant has admitted the factum of compromise and further stated that he is having no objection if the bail application is allowed, as the recovery of snatched mobile phone has already been effected.

State counsel, on the other hand, opposed the bail application and submitted that there is enough proof on record against the petitioner that he was involved in the snatching of mobile phone of complainant Sanjay Gupta. He further contended that investigation is still going on and as such petitioner is not entitled to concession of regular bail.

I have considered the submissions made by learned counsel for the petitioner and the State counsel.

It appears that complainant has effected compromise with the petitioner and the copy of affidavit to this effect given by the complainant is Annexure P-2. Even the counsel for the complainant admitted the factum of compromise. In the present case, recovery of snatched mobile phone has already been effected and the petitioner is in custody for the last more than 1 month and 25 days. The petitioner is not involved in any other criminal case. It will take time for presentation of challan. So, no purpose is going to be served by keeping the petitioner in custody for indefinite period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released to regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned. During the trial, the petitioner will not indulge in such like activity. Any violation of the direction would entail cancellation of his bail on filing of appropriate application by the State.

31.03.2022
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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No