

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-58193-2022 (O & M)****Date of decision: 19.12.2022**

Danish Arora

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

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

Mr. Kirat Singh Sidhu, DAG, Punjab.

Ms. Rashika Bansal, Advocate, for the complainant.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in case FIR No.208 dated 11.11.2022 under Sections 379-B IPC registered at Police Station Ranjit Avenue, Amritsar.

2. The present FIR came to be registered at the instance of Kishore Chand, who stated that he was a scrap dealer. On 11.11.2022 at about 12.50 p.m., after executing a sale deed of his land, he had kept a blue colour bag containing the sale consideration of Rs.98,000/- in his Activa and had gone with his nephew Danish Arora (petitioner) towards Ranjit Avenue, A-Block, when on the way, two Hindu gentlemen also on an Activa came in front of them. One person gave a slap to his nephew Danish Arora, who was driving the Activa scooter and threw him on the road. They also pushed him (complainant) and threw him on the road as well. They took out the bag of money and ran away.

3. The learned counsel for the petitioner contends that the petitioner was arrested on suspicion. In fact, the complainant is the maternal-uncle of the petitioner and a compromise has been effected between the parties as is borne out from a compromise deed, which is taken on record as Mark 'A'. He contends that the petitioner be granted the concession of bail in view of the compromise and that he is a first-time offender.

4. The learned counsel for the State, on the other hand, does not dispute the factum of compromise but submits that the seriousness of the allegations against the petitioner do not entitle him to the concession of bail.

5. The learned counsel for the complainant submits that a compromise has been effected between the parties who are closely related and she has no objection if the petitioner is granted the concession of bail.

6. I have heard the learned counsel for the parties.

7. Admittedly, the dispute is between the maternal-uncle and his nephew. The compromise (Mark 'A') has been placed on record.

8. In view of the compromise effected between the parties, the further incarceration of the petitioner is not required, moreso when he is a first-time offender with no other case registered against him.

9. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Danish Arora is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

(JASJIT SINGH BEDI)
JUDGE

December 19, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No