

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34165-2022
Date of Decision:-17.01.2023

SUKHDEV SINGH
... Petitioner
Versus
STATE OF PUNJAB
... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Manish Verma, Advocate
for the petitioner.
Mr. M.S. Nagra, AAG, Punjab.
Mr. Vipul Sherwal, Advocate
for the complainant.
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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.115 dated 27.5.2022 registered under Sections 323, 379-B, 452, 427, 148, 149 IPC at Police Station Chheharata District Amritsar.

The counsel for the petitioner *inter alia* contends that the petitioner is falsely implicated in this case and is behind the bars for the last 7 months and that challan has been presented by the police but it will take considerable time for the trial to conclude after the framing of charges and

further now the matter has been compromised between the parties and to this effect complainant-Varun Kumar and victim Pardeep Kumar have given their affidavits in favour of the accused persons including the petitioner, so prayer is made that petitioner be granted regular bail.

The instant petition is resisted by the State counsel, who on instructions from ASI Gurpartap Singh submits that as per the allegations in the FIR all the accused persons trespassed into the shop of Pardeep Kumar and ransacked the same and they also took licensed pistol and gold chain of complainant-Varun Kumar and some of them snatched ₹60,000/- from the pocket of trouser of complainant-Varun Kumar. However the State counsel has not disputed the fact that the petitioner is in custody since last 7 months and after completion of investigation challan has been presented, but trial is yet to commence. The State counsel further apprised that the recovery of licensed pistol of the complainant stands effected

The counsel appearing on behalf of the complainant has admitted the factum of compromise and further submits that in this regard all the victims namely Varun Kumar and Pardeep Kumar have given their affidavits. The counsel for the complainant further submits that the complainant and Pardeep Kumar are having no objection if the present petition is allowed.

I have considered the submissions made by counsel for the parties.

The investigation in the present case stands concluded and the petitioner is in custody for the last more than 7 months. Admittedly charges are yet to be framed and even thereafter it will take considerable time for the

trial to conclude, further as has been contended by the counsel for the complainant matter has been compromised, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

17.01.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No