

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

227

CRM-M-40126-2023 (O&M)
Date of decision: 23.08.2023

Ravinder Kumar Khanna

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Arunjeet Singh Kakkar, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

Mr. Munish Raj Chaudhary, Advocate for the complainant

AMAN CHAUDHARY. J.

1. Prayer in the present petition filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case FIR No. 10 dated 19.01.2019, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Kiratpur Sahib, District Rupnagar.

2. Learned counsel contends that the petitioner has been in custody for about 2 months, having been arrested on 03.07.2023. The dispute between the petitioner and the complainants was regarding the management of Generation Next Gurukul Society, Kiratpur Sahib, to which grandfather of the complainants had donated 5 acres of land for starting an educational institution. The matter now

stands compromised between the parties on 25.07.2023. Co-accused Kuldeep Singh Dhaliwal has been granted regular bail by this Court vide order dated 09.08.2023 (Annexure P-7), wherein learned counsel for the complainants had produced affidavit of all four complainants affirming the factum of compromise and that they had no objection to the grant to regular bail to the petitioner. Challan stands presented in the case, however, charges have not been framed.

3. Learned counsel for the complainants concedes the factum of compromise and states that he has no objection to grant bail to the petitioner.

4. The custody certificate dated 22.08.2023 has been filed by learned State counsel. As per the same, the petitioner is behind bars for the last 1 month and 19 days.

5. Learned State counsel is however unable to controvert the submissions with regard to stage of the case, compromise having been arrived at between the parties and the co-accused having been granted bail.

6. Heard.

7. Keeping in view the facts and circumstances of the case, in particular that the petitioner has been in custody for the last 1 month and 19 days; co-accused have already been granted bail; compromise stands effected between the parties; challan presented, though charges are yet to be framed, the trial is likely to take a considerable time, thus his further incarceration would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

8. As a result, the present petition is allowed. The petitioner is ordered

to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to his not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as

an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

August 23, 2023
M.Kamra

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