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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46172-2023
Date of decision: 08.12.2023

AAKASHDEEP

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. G. S. Randhawa, Advocate for
Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.51 dated 19.02.2023, under Sections 379-B, 411 and 34 of the IPC, registered at Police Station Division B, District Police Commissionerate Amritsar.

2. The present case was directed to be listed alongwith CRM-M-25714-2023 vide order dated 20.09.2023, however the same is segregated from the aforesaid case.

3. Learned counsel for the petitioner submitted that the petitioner is in custody for about 9 months and 18 days and the subject matter of the theft was only one mobile phone. He further submitted that the investigation of the case

has been completed by the police and thereafter, challan has also been presented before the competent Court. He also submitted that the matter has already been compromised between the parties and even a separate petition has been filed bearing No.CRM-M-25714-2023 for quashing of the FIR based upon compromise. He further submitted that the petitioner is not involved in any other case and has clean antecedents and therefore, he may be considered for the grant of regular bail.

4. On the other hand, Mr. Gurdarshan Singh Sidhu, AAG, Punjab submitted that it is correct that the petitioner is in custody for about 9 months and 18 days and the investigation of the case has been completed by the police and the petitioner is not involved in any other case.

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

6. It is a case where the petitioner is in custody for about 9 months and 18 days and the matter has already been compromised between the parties and also the investigation of the case has already been completed by the police. As per the learned counsel for the parties, the petitioner is not involved in any other case and has clean antecedents. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

7. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

8. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to

furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

08.12.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No