

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8033-2024 (O&M)

Date of Decision: 19.03.2024

Mandeep Singh Nihang ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Himanshu Sharma, Advocate, for the petitioner.

Mr. Vishavjeet Singh Virk, DAG, Punjab,
assisted by ASI Rashwinder Pal.

Ms. Suman Kumari, Advocate, for the complainant.

FIR No.	Dated	Police Station	Section/s
129	24.08.2023	Sadar Hoshiarpur, District Hoshiarpur	307, 323, 324, 460, 411 & 34 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of aforementioned FIR.
2. The FIR in question was lodged at the instance of Harvinder Kaur, wherein it is alleged that on 20.08.2023 at about 9:00 PM, when she was present at her home, then the door bell rung and when she opened the door, she found two persons and a woman standing there. She knew the woman to be Pushpinder Kaur and one of the men accompanying her to be Avtar Singh @ Taari. However, the third person was not known to her. It is alleged that the men i.e. Avtar Singh and other person, tied her

arms and gave beatings to her while Pushpinder Kaur locked the door from inside. It is alleged that the said persons also inflicted injuries to her with '*daatar*' and took away a set of gold earrings, one gold chain, a locket with '*khanda*' as well as cash lying at home.

3. Learned counsel for the petitioner submitted that he is nowhere named in the FIR and has been nominated on the basis of a disclosure statement allegedly made by co-accused Avtar Singh and that the evidentiary value of such like statement would be debatable. It has further been submitted that in any case the matter has already been settled amicably amongst the parties and under these circumstances, the petitioner is not required to be detained for any useful purpose.
4. Opposing the petition, learned State counsel submitted that since the co-accused has categorically nominated the petitioner, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 4 months & 1 day and that he is not involved in any other case. It has also been informed that the trial is yet to commence.
5. Today, complainant – Harvinder Kaur is present in person and has been identified by her counsel, namely, Ms. Suman Kumari, Advocate. Upon a query made by this Court, Harvinder Kaur endorsed the factum of compromise and stated that she has no objection in case the petitioner is granted the concession of bail.
6. In view of the aforestated position particularly the custody of the petitioner i.e. more than 4 months and the fact that the matter is stated to

have been compromised and the complainant does not have any objection for grant of bail to the petitioner, the petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.03.2024

Vimal

(GURVINDER SINGH GILL)
JUDGE

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