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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-30551-2024(O&M)

Date of decision:-01.10.2024

GURPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr.A.P.S. Sidhu, Advocate for the applicant-petitioner.

Mr. Iqbalpreet Singh, AAG, Punjab.

SANJIV BERRY, J.(ORAL)

CRM-35709-2024

1. Application under Section 482 Cr.P.C is for placing on record copy of compromise dated 09.08.2024 as (Annexure A-1).

2. Heard.

3. Application is allowed, subject to all just exceptions, copy of Compromise dated 09.08.2024 is taken on record as (Annexure A-1).

Main case

1. Learned State counsel has filed affidavit dated 23.09.2024 of Deputy Superintendent of Police, Sub Division Gidderbaha, District Muktsar Sahib, the same is taken on record. Copy thereof, has been supplied to the counsel opposite.



2. The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code for grant of regular bail in the following case:-

FIR No.	Dated	Sections	Police Station
04	07.01.2024	379-B(2), 506, 34, 411 IPC	Kotbhai, District Sri Muktsar Sahib

3. Arguments heard.
4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that even after his arrest on 07.01.2024 no recovery has been effected from the petitioner. After completion of investigation, challan has already been presented in court where it is pending trial. He submits that in the meanwhile a compromise dated 09.08.2024 (Annexure A-1) has already been effected between the complainant and the petitioner. He submits that the conclusion of trial will take sufficient long time, hence he prays for grant of bail to the petitioner.
5. *Per contra*, learned State counsel referring to the reply submitted by the State contends that there are specific allegations against the petitioner and the co-accused of having snatched ₹66000/- alongwith mobile phone and wallet of the complainant and as such he does not deserve concession of bail. However, he admitted that no recovery of the alleged articles have been effected from the petitioner.
6. After considering the rival contentions and perusing the record, it transpires that although the petitioner is named by the complainant as one of the assailant who had snatched ₹66000/-, mobile phone and wallet of the



complainant but it is admitted fact that no recovery thereof has been effected from the petitioner consequent upon his arrest on 07.01.2024. After completion of investigation, challan has already been presented in Court. The learned counsel for the petitioner has also referred to compromise dated 09.08.2024 (Annexure A-1) effected between the complainant and the petitioner. The challan has already been presented in trial Court, to conclude the same and to arrive at a conclusion qua the role, if any, played by the petitioner which will take sufficient long time.

7. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

01.10.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |