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

CRM-M-41586-2023 (O&M)

Date of decision : 16.02.2024

Roshan Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Virk, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Jashandeep Singh Bains, Advocate,
for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.47 dated 02.05.2023, under Sections 379-B, 458, 323 read with Section 34 (Sections 324, 326, 397, 411 & 120-B added subsequently) of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station Phase 11, District SAS Nagar (Mohali).

2. Allegations are that petitioner along with other co-accused, trespassed into the house of complainant-Radha Rani; snatched the gold chain, gold earrings; and inflicted injuries to her.

3. This Court granted interim bail to the petitioner on 14.02.2024, and relevant part of the order reads as under:-

“Learned counsel while make reference to compromise-deed (A-1) contends that matter has been amicably settled between the parties i.e. petitioner and the complainant.

Learned State counsel seeks time to verify the above factual position.

Posted for 16.02.2024.

***Till the next date of hearing,** petitioner is ordered to be released on interim bail in this case on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.*

*Be shown in the **urgent list.**”*

4. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 14.02.2024 and he is regularly appearing before learned trial Court. Also submits that the matter has been amicably settled; therefore, there is no apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

5. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

6. Learned counsel for the complainant also acknowledged the factum of compromise arrived at between the parties, i.e. petitioner as well as the complainant.

7. Heard learned counsel for both the sides and perused the paper book.

8. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; there is no allegation that

he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; thus, sending him in custody at this stage would not serve any purpose.

9. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 14.02.2024, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

11. The above observations may not be construed as an expression of opinion on the merits of the case.

12. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

13. Pending application(s), if any, shall also stand disposed off.

16.02.2024
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No