

274/1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41653-2024 (O&M)
Date of Decision:- 05.12.2024

MANIK SURI

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gaurav Datta, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

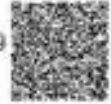
Mr. Bhupinder Gupta, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
113	03.07.2024	384, 506, 120-B IPC; (392, 364-A, 387 IPC added later on) (365 IPC deleted later on)	Civil Lines, District Amritsar

2. 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 no specific overt act is attributed to the petitioner nor any recovery has been effected from him. He submits that the petitioner is in



custody since 15.07.2024 and challan has been presented in Court and as such, he is not required for further investigation. He further submits that during the course of proceedings, a compromise has been effected between the parties, qua which a petition seeking quashing of FIR on the basis of compromise will be filed in due course of time. He thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel has opposed the bail petition by arguing that the petitioner is alleged to have participated in the commission of robbery and extortion. He has, however, admitted the factum that consequent upon the arrest of the petitioner, no recovery of any article was effected from the petitioner.

4. Learned counsel appearing on behalf of the complainant has admitted the factum of compromise having been effected between the parties, on the basis whereof, he submits that he has specific instructions from the complainant to state that the complainant has no objection in case the Court grants the concession of bail to the petitioner.

5. Heard learned counsel for the parties and perused the record.

6. After considering the rival contentions and perusing the record, it transpires that the instant case was registered against the petitioner and other co-accused on the complaint of Kamal Kant Sharma alleging that the petitioner along with other co-accused have committed robbery and took away 20 mobile phones and 4 laptops from his shop and also gave threats to him to extort money. Consequent upon the registration of FIR, the petitioner was arrested on 15.07.2024 and admittedly, no recovery was effected from



the petitioner. After the completion of investigation, challan has been presented in the Court and the conclusion of trial, to ascertain the criminal liability, if any, of the petitioner will take sufficient long time. It is also worth mentioning that it is the categoric stand of the complainant that the matter has been compromised and he does not want to further proceed against the petitioner and has no objection in the case bail is granted to the petitioner. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate 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.

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

05.12.2024
S.Sharma(syr)

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