

2024:PHHC:127399



217.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47058-2024
Date of decision: 25.09.2024

Gurtej Singh and another Petitioners

Versus

State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Vijay Lath, Advocate, for the petitioners.
Ms. Avneet, AAG, Punjab, for respondent No.1.
Mr. Surinder Sharma, Advocate, for respondent No.2.

GURBIR SINGH, J.

1. This petition has been filed under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023, for grant of regular bail to the petitioners in case FIR No.0159, dated 10.08.2024, registered under Sections 127(2), 309(4), 331(3), 351(2) of BNS, 2023 at Police Station City Rupnagar, District Rupnagar.
2. The aforesaid FIR was registered on a complaint made by Sukhvinder Singh with the allegations that when he was alone at his house, the petitioners came inside the house on the pretext of purchasing the house and robbed the complainant Rs.10,000/-, removed one gold *kara* and two diamond rings and a watch as well. They also forcibly took signature of the

complainant on a cheque and while leaving, they threatened to keep ready Rs.50 lac, otherwise, they would shoot him.

3. Learned counsel for the petitioners has argued that the parties have settled their dispute by entering into a compromise dated 26.08.2024 (Annexure P-2). Even a quashing petition i.e. CRM-M-42285 of 2024 has also been filed before this Court wherein parties have been directed to record their statements with regard to compromise. Petitioners are in custody since 10.08.2024 and no useful purpose would be served by further incarceration of the petitioners.

4. Learned State counsel though has opposed the bail to the petitioners considering the allegations levelled against them, but she has not disputed the custody of the petitioners and the fact that the matter has been compromise between the parties.

5. *Vakalatnama* filed on behalf of respondent No.2 in Court today, is taken on record. Learned counsel appearing on behalf of respondent No.2 does not dispute the factum of compromise having been effected between the parties.

6. I have heard the submissions of learned counsel for the parties and have gone through the file.

7. Considering the fact that the petitioners are custody since 10.08.2024, matter has been compromised between the parties, quashing petition has also been filed, completion of trial will take some time, this Court deems it appropriate to release the petitioners on regular bail.

8. Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on regular bail subject to their furnishing bail bonds/surety bonds to the satisfaction of concerned learned trial Court/Chief Judicial Magistrate/Duty Magistrate, with the further condition that they shall get their mobile number registered in the trial Court for receiving messages on CIS system and shall not change their mobile number during the pendency of the case. They shall also furnish their residential address to the trial Court as well as to the concerned police station and shall not change their residence without intimation to the concerned court. The court concerned may impose any other condition as it deems fit. In case of default, the trial Court is free to cancel the bail granted to the petitioners.

9. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case on the basis of material available before it.

(GURBIR SINGH)
JUDGE

September 25, 2024
sanjeev

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