



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

CRM-M-60986-2024

Date of Decision:05.12.2024

Vishal Saini

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Shivani, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case FIR No. 218, dated 29.09.2024, under Sections 305, 331(4) of BNS, registered at Police Station City Phagwara, District Kapurthala (Annexure P-1).
2. At the very outset, learned counsel for the petitioner contends that after registration of the FIR, vide the compromise deed (Annexure P-3), the matter has been compromised between the parties. She further contends that even the alleged incident had taken place on 16.09.2024 and the FIR in the present case was lodged on 29.09.2024. She further contends that the petitioner is a student of 10+1 class and the version mentioned in the FIR is highly improbable and unbelievable. She further contends that in fact, the petitioner was named due to some mis-understanding with him and now with the intervention of common friends, the matter has been compromised between the

parties.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in a serious crime and the present petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record carefully in the present case.

5. In the present case, apparently the FIR has been registered after a delay of 13 days and the petitioner has been named as accused. However, it is surprising that the petitioner has been named only on the basis of some enquiry made by the complainant at his own level. Moreover, the matter has been compromised between the parties vide the compromise deed (Annexure P-3), Thus, the custody of the petitioner may not be required, in the present case.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

05.12.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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