



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

CRM-M-3803-2025(O&M)
Date of Decision: 28.01.2025

Mukarram @ Mussa

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Chandan Singh Rana, Advocate
 for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

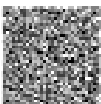
CRM-2675-2025

1. Application is allowed as prayed for subject to just exceptions.

CRM-M-3803-2025(O&M)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.25 dated 03.03.2024 registered under Sections 328 & 379 of IPC, at Police Station Dakha, District Ludhiana Rural.

2. Learned counsel for the petitioner contends that Rajwinder Kaur, complainant lodged the present FIR with the allegations that Sahil Khan, Jugnu Pandit, Musa and two more persons had performed hawan at the house of the complainant and later on, they had administered some intoxicating substances to the complainant and had stolen 20 Tollas of gold jewellery and a cash amount of Rs.10 lakhs. Learned counsel for the petitioner contends that the matter has been resolved between the parties and on the basis of the compromise, two co-



accused, namely, Mohd. Irfan and Umar Farooq have already been granted the concession of bail by this Court vide order dated 30.04.2024 (Annexure P-2). Learned counsel further contends that after the arrest of the petitioner, challan has already been presented against him and his custody is no longer required for the purpose of investigation.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. It is an admitted fact that similarly placed co-accused, Mohd. Irfan and Umar Farooq have already been granted the concession of bail by this Court, vide order dated 30.04.2024 (Annexure P-2). Moreover, the petitioner is in custody since 29.10.2024 and the challan has already been presented against him. No purpose will be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

28.01.2025
hemlata

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