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

CRM-M-4188-2025**Date of Decision: 30.01.2025**

Mukesh Kumar alias Mukesh Chitte

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Viren Sibal Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.0086 dated 14.06.2024 registered under Sections 307, 341, 324, 323, 148, 149 of IPC and Sections 25, 54, 59 of Arms Act, at Police Station City Fazilka.

2. Learned counsel for the petitioner contends that as per allegations levelled by the complainant, the petitioner was allegedly armed with brick and caused injuries on the left and right side of the back of the complainant with a brick. Learned counsel further contends that after registration of the FIR, the matter has been amicably resolved between the complainant/injured as executed a compromise deed (Annexure P-2) in favour of the present petitioner. The petitioner was arrested in the present case on 16.06.2024 and is in custody for the last about 07 months.



3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that several other criminal cases were ordered to be registered against the petitioner and the petition is liable to be dismissed by this Court.

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

5. No doubt, several other cases have been registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on that ground because the petitioner has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "***Prabhakar Tewari Vs. State of U.P., and another***" 2020(1) R.C.R. (Criminal) 831, wherein it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of "***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another***" 2012(1) R.C.R. (Criminal) 586. In the present case, the petitioner was arrested on 16.06.2024 and after completion of investigation, challan has already been presented against him. Moreover, the dispute is amicably resolved between the parties and the complainant has no objected to grant the concession of bail to the present petitioner.

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.

30.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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