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

CRM-M-13480-2025(O&M)

Date of decision:-27.05.2025

HARPREET SINGH AND ANOTHER

... Petitioners

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Harwinderjeet Singh Sandhu, Advocate, for the petitioners.

Mr. K.D.Sachdeva, DAG, Punjab.

Mr. Anshdeep Singh, Advocate for the complainant.

SANJIV BERRY, J.(ORAL)

CRM-20013-2025

1. The instant application has been filed under Section 528 of the BNSS for placing on record additional evidence Compromise deed dated 16.04.2025 as Annexure A-1.
2. The application is allowed, subject to all just exceptions. Compromise deed dated 16.04.2025 is taken on record as Annexure A-1
3. Registry to do the needful.

Main case

1. The instant petition has been preferred by the petitioners under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular

bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
03	03.01.2025	331(4), 305 of BNS, 2023	Bhikhiwind, District Tarn Taran

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in this case, and is in custody since 21.01.2025, he contend that after completion of investigation, challan has already been presented in Court and after arrest of the petitioners, no recovery of any stolen article has been effected from the petitioners. He contends that prosecution has cited 9 witnesses and till date none of them have been examined. He contends that petitioners are not having any criminal antecedents and a compromise deed dated 16.04.2025 (Annexure A-1) has been effected between the parties, hence prayed for grant of bail to the petitioner.
4. *Per contra*, learned State counsel referring to the reply submitted by the State have opposed the bail petition by arguing that petitioners are involved in heinous crime, therefore, considering the serious nature and gravity of offence, petitioners are not entitled to concession of bail. Hence prayed for dismissal of the bail petition.
5. Learned counsel for the complainant has not disputed the issuance of compromise deed dated 16.04.2025 (Annexure A-1) between the parties and stated that he has specific instructions from the complainant that he has no objection, if concession of bail is granted to the petitioner.
6. Considering the above said facts and circumstances, and the fact



that the complainant has no objection in grant of bail to the petitioners on the basis of compromise deed dated 16.04.2025 (Annexure A-1). Even otherwise no recovery of stolen articles have been effected from the petitioners and he is not having any criminal antecedents, coupled with the fact that even till date none of the 9 witnesses cited by the prosecution has been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioners will take sufficient long time, as such, no purpose would be served by detaining petitioner in custody any longer.

7. Resultantly, in these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court 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 the evidence of the 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 application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

27.05.2025

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