



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110 CRM-M-16360-2025
Date of Decision: 25.03.2025

Sanjay GirPetitioner

Versus

State of Punjab and anotherRespondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ishan Gupta, Advocate (Through VC)
for the petitioner.

Mr. Gurpartap S. Bhullar, Asst. AG, Punjab.

Mr. Gagandeep Singh, Advocate
for respondent No.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
68	15.03.2024	Mataur, District SAS Nagar	323, 324, 365, 384, 506, 34 & 120B IPC

1. The petitioner apprehending arrest in the FIR captioned above, has come up before this Court by filing the present petition under Section 482 BNSS 2023, for second time.
2. Counsel for the petitioner prays for bail based on compromise and submits that on changed circumstance second bail petition is maintainable.
3. Petitioner’s first anticipatory bail was rejected by the Coordinate Bench of this Court vide a detailed order dated 21.05.2024 (Annexure P-5), in which factum of compromise was considered and now petitioner has again come up before this Court seeking anticipatory bail for second time on the grounds of a fresh compromise.
4. Counsel for the State opposes the maintainability of the present petition on the grounds that compromise was already in notice of the Coordinate Bench of this Court and despite that the bail was rejected on merits.



5. At this stage counsel for the petitioner submits that the said bail was rejected on 21.05.2024 and after that on 27.09.2024, they have entered into a fresh compromise which is annexed as Annexure P-2.
6. Counsel appearing for the victim/respondent No.2 states on instructions that they have no objection if the bail is granted or any relief is granted to the petitioner because they have settled the matter.
7. However, Petitioner’s counsel failed to explain that how the second anticipatory bail would be maintainable on merits when the first bail petition was already dismissed. At this stage, petitioner’s counsel wants to withdraw the present petition with liberty to surrender before the concerned Court and with a prayer for direction to the concerned Court to grant interim bail to the petitioner on the day of his surrender because of the factum of compromise, at least till the disposal of bail petition.
8. In the entirety of facts and circumstances, petitioner is granted liberty to surrender and file application for regular bail before the concerned Court on or before 04.04.2025 at 11 AM. In case, such application is filed, the concerned Court shall release the petitioner on interim bail on the same day i.e. on his surrender till the disposal of bail petition in view of the ratio of judgment passed by the Hon’ble Supreme Court of India in **Sundeeep Kumar Bafna vs. State of Maharashtra (2014) 16 SCC 623**. It is further clarified that the concerned Court shall decide the bail petition on its own merits and considering the factum of compromise and shall not be influenced by this order. In case, petitioner does not surrender on or before 04.04.2025 at 11 AM, this order shall stand recalled automatically in terms of Section 403 BNSS 2023.
9. Petition is disposed of with the aforesaid observation. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

25.03.2025
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Whether speaking/reasoned	Yes
Whether reportable?	No