



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

221/2

CRM-M-17152-2025 (O&M)

Date of Decision: 12.05.2025

Nirvail Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. R.S. Sidhu, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

Ms. Gurpreet Kaur, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for seeking bail pending trial in FIR No. 38 dated 04.06.2024, registered under Sections 307, 452, 506, 148 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC') and Sections 25 & 27 of Arms Act, 1959, registered at Police Station Sarai Amanat Khan, District Tarn Taran.

2. Allegations are that petitioner alongwith other co-accused formed an unlawful assembly and in prosecution of their common object attacked the complainant with *datar* on his head, intending to kill him; fired a shot in air with his country made pistol and also criminally intimidated him.

3. Learned State counsel has produced custody certificate of



petitioner dated 11.05.2025, which is taken on record. Registry to tag the same at appropriate place.

4. Contends that matter has been amicably settled between the parties i.e. petitioner as well as *de facto*-complainant.

4.1 Further contends that petitioner was arrested in the present case on 25.10.2024 and after remaining in custody for about 06 months, he had been granted interim bail by this Court on 03.04.2025.

4.2 Again contends that in pursuance of the aforesaid order, petitioner is regularly appearing before learned trial Court and challan has already been presented on 09.01.2025, but charges are yet to be considered.

4.3 Lastly contends that no useful purpose would be served by detaining the petitioner behind the bars and there is also no allegation that in case petitioner is granted bail, he shall misuse the concession or hamper the proceedings/trial in any manner.

5. Learned State counsel, on instructions, submits that petitioner is regularly appearing before learned trial Court. She also acknowledged that petitioner has not misused the concession of interim bail in any manner and there is no other case pending against the petitioner. However, she is not aware about the factum of compromise arrived at between the parties i.e. petitioner as well as *de facto*-complainant.

6. Learned counsel for the complainant submitted that a compromise has been arrived at between the parties i.e. petitioner as well as *de facto*-complainant.

7. Heard learned counsel for both the sides and perused the paper book.

8. This Court granted interim bail to the petitioner on 03.04.2025 in the following manner:-



“Contends that matter has been amicably settled between the parties and the co-accused, namely, Kirpal Singh @ Pal Singh has already been granted the interim bail by this Court vide order dated 18.03.2025 passed in CRM-M-206-2025.

Posted for 12.05.2025.

In the meanwhile, petitioner be released on interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds subject to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

To be heard alongwith CRM-M-206-2025.”

9. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. Learned counsel for complainant has acknowledged the factum of compromise effected between the parties.

10. As challan has already been presented against the petitioner, but charges are yet to be considered; therefore, in such a scenario, there is no justification to keep the matter pending and/or send the petitioner to custody at this stage.

11. In view of the above, present petition is allowed. Interim bail granted to petitioner, vide order dated 03.04.2025, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

13. The above observations be not construed as an expression of opinion on the merits of the case.



14. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

12.05.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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