

2025:PHHC:002081



299.

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

CRM-M-57156-2024

Date of decision: 09.01.2025

Jaswant Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vishal Sharma (Vasudeva), Advocate, for the petitioners.

Mr. Amit Rana, Senior DAG, Punjab with ASI Harjeet Singh.

MANJARI NEHRU KAUL, J. (ORAL)

Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioners in case FIR No.79, dated 28.06.2024, under Sections 379-B(2), 458, 506, 34 IPC (Sections 379-B IPC deleted and Sections 392, 397, 411 of IPC added lateron), registered at Police Station Sri Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioners submits that the case of the petitioners is at par with that of co-accused Maninder Pal Singh, who has since been extended the concession of bail vide order of even date. It has been submitted that the petitioners have been in custody since 28.06.2024. Challan stands presented and even charges stand framed. It has also been asserted that since the matter has been amicably settled with the complainant Rajinder Kaur, who is none other than the mother of the co-accused, further incarceration of the petitioners would serve no useful

purpose, more so, when the parties are in the process of approaching this Court for quashing of the FIR in question on the basis of compromise.

Learned State counsel, on instructions, has not been able to dispute that the case of the petitioners is at par with that of co-accused who has been extended the concession of bail. The custody period of the petitioners as well as the stage of trial has also not been disputed by the learned State counsel on instructions. However, learned State counsel has feigned ignorance about the compromise purportedly effected between the petitioners and the complainant. The complainant, who is present in the Court today, does not oppose the prayer made by the counsel for the petitioners for extending the concession of bail to them.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioners.

Accordingly, the instant petition is allowed and the petitioners be admitted to bail on their furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

Needless to add, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

January 09, 2025

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No