

CRM-M-9760-2026 (O & M)
Date of decision: 30.04.2026

...PETITIONER

...RESPONDENT

2. Learned counsel for the petitioner prayed for grant of regular bail to the petitioner on the following grounds :



- i. The matter is regarding some land dispute between the members of same family.
 - ii. Petitioner is in custody since 08.12.2025 i.e. for the last 04 months and 22 days.
 - iii. Investigation has already been completed and final report under Section 173 of BNSS has already been filed.
 - iv. A compromise has already been effected between the parties and in this regard, learned counsel placed on record the affidavits of the complainant and injured.
 - v. Trial will take sufficient time to conclude.
 - vi. No fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.
3. Learned State counsel produced the custody certificate of the petitioner, which is taken on record. He opposed the prayer of the petitioner on the following grounds:
 - i. The petitioner along with co-accused caused grievous injuries to the injured.
 - ii. CCTV footage of the incident is also available on record.
4. Mr. Diwan S. Adlakha, Advocate has put in appearance on behalf of the complainant and injured and filed his power of attorney. The same is taken on record. Learned counsel admitted the factum of compromise and stated that he has no objection if the present petitioner is released on regular bail.
5. Heard.



6. Keeping in view the facts and circumstances of the present case and the following contentions of learned counsel for the parties that :

- i. The matter is regarding some land dispute between the members of same family.
- ii. Petitioner is in custody since 08.12.2025 i.e. for the last 04 months and 22 days.
- iii. Investigation has already been completed and final report under Section 173 of BNSS has already been filed.
- iv. A compromise has already been effected between the parties and in this regard, learned counsel placed on record the affidavits of the complainant and injured.
- v. Learned counsel for the complainant and injured also admitted the factum of compromise effected between the parties and stated that he has no objection, if the petitioner is granted the concession of regular bail.
- vi. Trial will take sufficient time to conclude.
- vii. No fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties.
- viii. It is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioners.



7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

April 30, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |