



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

CRM-M-59144-2024 (O&M)

Date of Decision:25.04.2024

Sarthak ..Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Umesh Aggarwal, Advocate
for the applicant/petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

Ms. Nandini Sharma, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

CRM-9927-2025

Application is allowed as prayed for, subject to just all exceptions.

Annexure P-4 is taken on record.

Main case

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 121, dated 25.06.2023, registered under Sections 307,120-B, 506,148 and 149 of IPC and Section 25 and 27 of Arms Act, Section 54 and 59 of Arms Act added later on, Police Station Cantonment, District Police Commissionerate Amritsar (Annexure P-1).

2. The FIR in the present case was registered on the basis of the

statement made by Gurjant Singh. As per the case set up by the prosecution, the petitioner had called the complainant and Mandeep Singh @ Sahil to meet them on the pretext of entering into a compromise in another case, where he fired shots at them.

3. Learned counsel for the petitioner contends that the petitioner was wrongly arrested in the present case on 10.01.2024 and is in custody for the last more than one year and 03 months. During the course of trial, the prosecution has been able to examine only 07 witnesses out of total 19 witnesses and the trial is not likely to conclude in near future. He has further placed reliance on the affidavit (Annexure P-4) of Gurjant Singh, complainant to contend that the parties have entered into a compromise with each other. Moreover, Deepak Arora, father of the petitioner has already been granted the concession of bail vide order dated 03.04.2024 (Annexure P-2).

4. A short reply by way of an affidavit of Assistant Commissioner of Police, West, Amritsar has been filed on behalf of respondent-State and the same is taken on record.

5. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that four more FIRs have ordered to be registered against the petitioner and is a habitual offender.

6. I have heard the learned counsel for the parties and perused the record carefully.

7. It is not in dispute that the petitioner is in custody for the last more than one year and 03 months. Now, the complainant has sworn an affidavit in favour of the present petitioner and even learned counsel for the complainant

submits that she has no objection in case, the present petition is ordered to be allowed by this Court. Moreover, the injured in the present case already stands discharged from the hospital, long ago.

8. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

25.04.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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