

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

Crl. Misc. No. M-44171 of 2014 (O&M)

Date of decision: 04.02.2015

Narender @ Monu

...Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sarfraj Hussain, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Vishal Mittal, Advocate,
for the complainant.

RITU BAHRI, J.

This petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case F.I.R No. 31 dated 18.02.2013, under Sections 307, 506, 34 IPC and Sections 25/54/59 of Arms Act, registered at Police Station, Pataudi, Gurgaon, District Gurgaon.

The FIR was registered on the basis of statement made by Deep Sharma-complainant, alleging that he was serving in the Army and had come on leave for 34 days. On that day, he along with Sandeep son of Abhey Singh was sitting in a Max bearing registration No.HR-18-A-1072, which was parked at bus stand, Janola. In the meantime, a white coloured Swift VDI car came there, in which, Monu, Pardeep @ Parley and Kaushal were sitting. Thereafter, they alighted from the car. Monu and Parley were armed with iron rods, whereas Kaushal was armed with pistol. Kaushal started firing with his pistol towards the complainant and Sandeep. Monu and Parley, armed with rods, surrounded them. In order to save themselves, the

complainant and Sandeep turned the vehicle and ran away from the spot. A day earlier to this incident, an altercation had taken place between them. In this background, the FIR was registered.

Earlier, the petitioner moved an application for grant of regular bail, which was declined by the Additional Sessions Judge, Gurgaon, vide order dated 07.11.2014 (Annexure P-1) on the ground that initially, the petitioner was granted bail by the Court, but he jumped the same on 27.05.2013. The petitioner also committed a similar type of offence, by virtue of which, FIR No.391 dated 30.09.2013 was registered against him.

Learned counsel for the petitioner has placed on record a compromise deed dated 28.01.2015 (Annexure P-2) effected between the parties.

Learned counsel for the complainant has put in appearance and admitted the factum of compromise (Annexure P-2) having been effected between the parties.

Heard.

Keeping in view the period of incarceration of the petitioner and the fact that a compromise has been effected between the parties, this court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Gurgaon.

(RITU BAHRI)
JUDGE

04.02.2015
ajp