

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

**CRM-M No. 10533 of 2016 (O&M)
Date of Decision: 25.05.2016**

Lakhi Ram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by SI Sri Krishan.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of Cr.P.C., is for grant of regular bail on behalf of the petitioner-accused-Lakhi Ram in case FIR No. 354, dated 25.10.2015, for offences punishable under Sections 148, 149, 323, 324, 452, 307 of the Indian Penal Code, registered at Police Station Salhawass, District Jhajjar.

The petitioner is stated to be seventy years' old man and in custody since 01.11.2015. The dispute is between the family members over trivial issues. The petitioner is alleged to be armed with a *danda* and attributed injury to the complainant-Raj Singh Yadav on the head, which is opined to be simple in nature. The injury attracting the offence under Section 307, IPC is attributed to co-accused-Rajender.

Learned counsel for the petitioner submits that all the parties have entered into compromise on 28.04.2016 and another petition bearing

CRM-M No. 16007 of 2016 (Lakhi Ram and others versus State of Haryana and another) seeking quashing of the FIR on the basis of compromise has been filed and the same is listed for hearing on 03.06.2016 before this Court.

Learned State Counsel, assisted by SI Sri Krishan, does not contests the custody period and role attributed to the petitioner. He further submits that challan has been presented. He also does not dispute the fact that aforesaid petition seeking quashing of the FIR based on compromise has been filed.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period as well as role attributed to the petitioner and the fact that parties have entered into compromise, no useful purpose would be served by keeping the petitioner-accused in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

May 25, 2016

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(JASWANT SINGH)
JUDGE