

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

CRM-M No.41974 of 2016

Date of decision: 13th December, 2016

Satyawan @ Saka

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. V.D. Sharma, Advocate for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Mr. Sanjeev Kumar Sharma, Advocate puts in appearance
on behalf of the complainant to assist the State.

Allegations against the petitioner Satyawan @ Saka in this
anticipatory bail application under Section 438 Cr.P.C. in case FIR
No.242 dated 04.07.2016 under Sections 323/506/307 IPC pertaining to
Police Station Kharkhoda, District Sonapat, are that on 01.07.2016 he
armed with an iron rod had assaulted Vinod and the petitioner is
attributed two injuries, both on the head of the victim.

Contentions of learned counsel for the petitioner are that
initially case was got registered under Sections 323 and 506 IPC and
subsequently offence under Section 307 IPC has been added and that
there is no medical evidence to support the same and has sought to rely
upon the agreement of compromise (Annexure P3) to hammer-home the
point that the parties have ironed out their differences.

Though on behalf of the State, the bail has been sought to be opposed on the grounds of heinousness of the offence, however learned counsel for the complainant has duly acceded to the factum of compromise and has not shown any resistance to the grant of bail to the petitioner.

Going through the submissions and keeping in view that there are only simple fractures on the head of the victim and applicability of Section 307 being a debatable issue and in the light of compromise between the parties as also the fact that nothing is to be recovered from the petitioner, impels this Court to allow the prayer made.

Thus, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

December 13, 2016

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No