GURPREET KAUR
2016.03.22 18:38

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No.M-8898 of 2016
Date of Decision: 22.03.2016

Mohender and another ....Petitioners

Versus

State of Haryana ....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
2. **To be referred to reporters or not ? (Yes/No)**
3. **Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. R.S. Malik, Advocate
for the petitioners.

Mr. B.S. Virk, D.A.G., Haryana
for the respondent-State.

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DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioners in case FIR No.51 dated 01.02.2016 registered under Sections 148/149/323/341/452/506/354-B IPC and Sections 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Samalkha, District Panipat, Haryana.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case, whereas, no such incident has ever occurred. He further submits that the petitioners have been implicated due to party faction in the village. Subsequently, the misunderstanding arose between the parties has been settled and the complainant has now

no objection in quashing of the FIR and in granting bail to the petitioners. Complainants' party have furnished their respective affidavits to the effect that they have compromised the matter with the intervention of *panchayat* and other responsible persons of the society. The said affidavits are attached with the present petition.

Learned counsel for the respondent-State, on instructions from ASI Ram Mehar, has also affirmed the factum of compromise arrived at between the parties.

Complainant-Dharmender is also present in the Court and has been identified by the Investigating Officer.

Keeping in view the submissions made by learned counsel for the parties and also the fact that both the parties have settled their disputes with the intervention of respectables of the village; complainant and other persons from his side have furnished their affidavits, which are on record; complainant is also present in the Court and the factum of compromise has been affirmed; petitioners are in custody since 04.02.2016 and no useful purpose would be served by keeping them in custody and moreover, the purpose of compromise is to maintain peace and harmony in the relations, the present petition is allowed and the petitioners are directed to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(DAYA CHAUDHARY)
JUDGE

22.03.2016
gurpreet