

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

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CRM-M No.16265 of 2018
Date of Decision: April 20th, 2018

Suresh Jain

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Gaurav Chopra, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that after the passing of the order dated 09.03.2018 by this Court, the settlement was entered into between the parties on 15.03.2018 (Annexure P-26).

In view of compromise which has been entered into between the parties, referred to above, an application under Section 320 of the Code of Criminal Procedure was moved for compounding of the offence. The compromise and the application under Section 320 Cr.P.C. was taken on record by the trial Court and the petitioner did not appear before the Court on 17.03.2018 under a *bona fide* belief that since the matter has been amicably resolved and a compromise has been entered into, which factum has been acknowledged by the complainant himself by affidavit dated 07.04.2018 which was duly submitted to the trial Court. The petitioner did not intentionally evade appearance and it is on the basis of the advice given by the counsel that he had so acted. Counsel contends that the petitioner is not averse to appear before the trial Court and would appear before the trial Court on 21.04.2018 and move an application for grant of regular bail.

He states that in the light of the compromise which has been entered into between the parties and with an application under Section 320 Cr.P.C.

having been moved, the matter need to be compounded.

Having considered the submissions made by the counsel for the petitioner and keeping in view the order passed by the trial Court dated 17.03.2018, in case the petitioner appears before the trial Court on **21.04.2018** and moves an application for grant of regular bail, the same shall be entertained and he be admitted to interim bail. The Court shall thereafter proceed to decide the matter in accordance with law.

With these observations, the petition stands disposed of.

Copy of this order be given *dasti* to the counsel for the petitioner under signatures of Bench Secretary of this Court.

April 20th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No