

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

CRM-M-29437-2018

Date of decision: 09.08.2018

Chando @ Chanderpati

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ashwani Gaur, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 137 dated 15.03.2018 under Sections 304-B/ 34 IPC, registered at Police Station Ganaur, District Sonapat.

Learned counsel appearing on behalf of the petitioner at the very outset contends that the allegations as set out in the FIR are false and concocted and in fact during the pendency of these proceedings the matter has already been compromised between the petitioner's family and the father of the deceased i.e. the complainant. It is submitted that in this regard a quashing petition CRM-M-32521-2018 has already been filed, wherein the parties have been directed to appear before the Illaqa Magistrate and a report in this regard is awaited and the matter is now listed for 24.09.2018.

Appearance has been caused by Mr. Arun Kumar Singal, Advocate, by filing power of attorney on behalf of the complainant and he admits to the factum of compromise and he has no objection in case the petitioner herein is enlarged on regular bail.

Learned counsel for the respondent-State, on instructions from SI Didar Singh, submits that no compromise has been effected while submitting that the allegations against the petitioner herein are serious in nature.

I have heard learned counsel for the parties.

In view of the fact that challan qua the petitioner Chando @ Chanderpati has been presented, moreover, learned counsel for the complainant has submitted that he would have no objection in case regular bail is allowed to the petitioner herein, without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.

(iii) He shall not leave the country without the previous permission of the Court.

09.08.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.