

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

Decided on: 25.04.2018

1. CRM-M No.6729 of 2018 (O&M)

Rahul

....Petitioner

Versus

State of Haryana

....Respondent

2. CRM-M No.7898 of 2018

Deepak Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Johan Kumar, Advocate
for the petitioner (in CRM-M No.6729 of 2018)

Mr. Deepak Gupta, Advocate
for the petitioner (in CRM-M No.7898 of 2018)

Mr. Himmat Singh, DAG, Haryana.

Mr. Deepak Sharma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

CRM No.14595 of 2018 in CRM-M No.6729 of 2018

Heard.

Allowed as prayed for.

The compromise deed is taken on record as Annexure P4.

CRM No.14596 of 2018 in CRM-M No.6729 of 2018

Prayer in this application is for impleading the

complainant namely Shyam Murari as respondent No.2.

Heard.

For the reasons stated in the application, the same is allowed and the complainant – Shyam Murari is impleaded as respondent No.2.

Amended memo of parties is taken on record.

**CRM No.15069 of 2018 in CRM-M No.6729 of 2018 and
CRM No.15070 of 2018 in CRM-M No.7898 of 2018**

Prayer in these applications is for addition of offence punishable under Section 201 IPC in the headnote as well as the prayer clause of the main petition.

Heard.

For the reasons stated in the applications, the same are allowed and the offence punishable under Section 201 IPC is ordered to be added in the headnote as well as the prayer clause of both the main petitions.

CRM-M Nos.6729 and 7898 of 2018

Prayer in these petitions is for grant of regular bail to the petitioners namely Rahul and Deepak Kumar in FIR No.162 dated 11.07.2017 for offence punishable under Sections 406, 420, 419, 428, 467, 468, 471, 120-B and 201 of the Indian Penal Code (in short 'IPC') registered at Police Station Mullana, District Ambala.

Counsel for the petitioners has submitted that in pursuance to the compromise effected between the parties, the petitioners namely Rahul and Deepak Kumar have already made the payment to respondent No.2/complainant and 02 of the co-accused namely Adhiraj

and Nitin have already been granted the concession of regular bail by the Sessions Judge, Ambala vide order dated 12.01.2018. It is further submitted that the petitioner – Rahul is in judicial lock up since 22.11.2017 whereas the petitioner – Deepak Kumar is in judicial lock up since 04.01.2018.

The aforesaid fact is not disputed by counsel for the State as well as counsel for the complainant. Counsel for the complainant has further submitted that even a petition i.e. CRM-M No.16658 of 2018 praying for quashing of the FIR on basis of the compromise has already been filed before this Court, in which notice of motion has been issued for 07.08.2018.

Counsel for the State, on instructions from ASI Khushpal Singh, has also not disputed the factum of compromise arrived at between the parties.

Without commenting anything on merits of the case and considering the fact that the dispute between the parties of which the present petitions are an off-shoot, is already settled; the petitioner – Rahul is in judicial lock up since 22.11.2017 whereas the petitioner – Deepak Kumar is in judicial lock up since 04.01.2018; the conclusion of the trial is likely to take some time, these petitions are allowed and the petitioners namely Rahul and Deepak Kumar are ordered to be released on bail subject to furnishing their bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioners are found misusing the concession

of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

25.04.2018
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No