

**CRM-M-16112-2019 (O&M)
CRM-M-17279-2019 (O&M) and
CRM-M-17771-2019 (O&M)**

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

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Date of Decision : 8.5.2019

CRM-M-16112-2019 (O&M)

Payash @ Rajpal

....Petitioner

vs.

State of Haryana

....Respondent

CRM-M-17279-2019 (O&M)

Parteek Gandhi

....Petitioner

vs.

State of Haryana

....Respondent

CRM-M-17771-2019 (O&M)

Deepak @ Deepu

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

**Present: Mr. Lalit Kumar Yadav, Advocate
for the petitioner in CRM-M-16112-2019.**

**Mr. Simranjot S. Nagra, Advocate
for the petitioner in CRM-M-17279-2019.**

**Mr. Akashdeep Singh, Advocate
for the petitioner in CRM-M-17771-2019.**

Dr. Sushil Gautam, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This common order shall dispose of abovementioned three petitions as they arise from the same FIR.

CRM-14827-2019 in CRM-M-17771-2019

This is an application for preponing the next date of hearing in the main case so that it could be heard with other connected matters.

For the reasons recorded in the application, the same is allowed and the main case is taken up for hearing today itself.

Main Cases

These petitions have been filed under Section 439 Cr.P.C for grant of regular bail to the petitioners in case FIR No.52 dated 17.2.2019 registered under Sections 379-B and 34 IPC at police station New Colony, Gurugram, Haryana.

The primary ground taken by the counsel for the petitioners is that complainant has made a statement exonerating the petitioners.

Learned DAG has argued that it is debatable whether offence under Section 379 B IPC can be quashed on the basis of the compromise or not.

Be that as it may; these petitions have been filed for grant of bail and not for quashing and once, it is admitted that parties have compromised the matter, it would not be appropriate to keep the petitioners in custody during trial.

Custody certificates dated 8.5.2019 of appellants Parteek in CRM-M-17279-2019 and Payas @ Rajpal in CRM-M-16112-2019 by way

of affidavits of Mohmed Sazeed Khan-Dss, Deputy Superintendent, District Prison (Gurgaon)-Haryana have been filed on behalf of the respondent-State, the same are taken on record. Copy of both the custody certificate have been supplied to the opposite counsel. The custody certificates also certify the fact that both the petitioners have been in custody for 2 month and 21 days.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioners, I deem it appropriate to grant regular bail to all three petitioners. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petitions stand allowed.

Since the main cases have been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

8.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No