

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

**CRM-M No.33485 of 2018
Decided on: 16.01.2019**

Manjeet

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.S. Mor, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Naveen Dahiya, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.26 dated 15.01.2018, for offence punishable under Sections 307/34/120-B of the Indian Penal Code (in short 'IPC'), 25, 27, 54, 59 of the Arms Act, registered at Police Station Sadar Bahadurgarh, District Jhajjar.

Counsel for the petitioner, at the very outset, has submitted that the petitioner and other accused persons have compromised the matter with the injured – Pawan son of Tirath Ram and his brother/complainant Jai Bhagwan and has placed on record the photocopy of the compromise dated 06.01.2019. It is further submitted that the petitioner will file a petition for quashing of the FIR on the basis of the compromise.

Counsel for the State, on instructions from ASI Yomesh Kumar, has not disputed the factual position but opposed the prayer for bail. He has also not disputed the fact that the matter stood compromised between the parties. It is also submitted that the statement of one of the prosecution witness has been recorded by the trial Court.

Counsel for the complainant has also acknowledge the factum of compromise arrived at between the parties.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 08.03.2018; the case is still at the stage of recording the evidence of prosecution witnesses and considering the fact that the matter stood compromised between the parties, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

16.01.2019

yakub

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