

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-40751 of 2018

DATE OF DECISION:31.01.2019

Ritesh Chadha

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. NS Shekhawat, Advocate
for the petitioner.

Mr. Rajesh Sheoran, Addl. A.G., Haryana.

Mr. Gautam Dutt, Advocate
for the complainant.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed by petitioner-Ritesh Chadha for grant of regular bail in case FIR No. 146 dated 23.4.2017 registered under Sections 379,411,34,120-B IPC at Police Station Kundli, Sonipat, District Sonipat.

Learned counsel for the petitioner contends that name of the petitioner was not mentioned in the FIR and he has been implicated in the case after a gap of more than one year. Subsequently during pendency of the petition, the matter has been compromised between the petitioner and the complainant. Learned counsel also contends that investigation is complete, challan has also been presented and the petitioner is in custody since 28.4.2018.

The factum of compromise has been affirmed by learned counsel for the complainant.

Learned counsel for the respondent-State has not disputed the custody period, factum of compromise between the petitioner and complainant and stage of the trial.

Keeping in view the submissions made by learned counsel for the parties and also the facts that the matter has been compromised between the petitioner and complainant; petitioner is in custody since 28.4.2018 and the fact that the offence is triable by Magistrate, the present petition is allowed. Petitioner-Ritesh Chadha is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate

January 31, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No