

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

SMRITI
2019.06.28 17:00
I attest to the accuracy and
integrity of this document

CRM-M-27480-2019

Date of Decision: 28.06.2019

Gaurav @ Dhoru and Anr

... Petitioners

Versus

State of Haryana and another

.... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.C.Shahpuri, Advocate, for the petitioners.

ARUN MONGA, J.(ORAL)

Notice of motion.

2. Mr. R.K.S.Brar, AAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State while on the other hand Mr. Krishan Singh, Advocate, who is also present in the Court, accept notice on behalf of respondent No.2/complainant.

3. Learned counsel for the petitioners as also learned counsel for respondent No.2/complainant submit that a compromise has been arrived at between the complainant and accused persons in the presence of Sarpanch of the village, as reflected from Annexure P2.

4. Since, learned counsel for the State and learned counsel for respondent No.2/complainant are present in the Court on an advance service, the formality of service is dispensed with qua the respondents.

5. Learned counsel for the petitioners though strongly relies upon the compromise arrived at between the complainant and petitioners/accused persons but on the other hand, he also points that even if the allegations contained in the FIR are taken as gospel truth, the same do not attract the offence under Section 3 of the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989, as the offence complained was not committed in public view according to the version of the complainant.

6. Heard counsels for the parties.
7. Without going into the merits of the contention of learned counsel for the petitioner, suffice at this stage, to grant the benefit of bail to the petitioner in view of compromise (Annexure P2) arrived at between the complainant and petitioners/accused persons.
8. In the premise, if the petitioners are required to be arrested during the course of investigation, they shall be released on bail, subject to their furnishing requisite bail/surety bonds to the satisfaction of Investigating Officer/ Arresting Police Officials.
9. Petition stands allowed.

(ARUN MONGA)
JUDGE

June 28, 2019
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No