

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

**Crl. Misc. No.M-42625 of 2019 (O&M)
Date of Decision: October 15, 2019**

RajuPETITIONER

VERSUS

State of HaryanaRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Surinder Dagar, Advocate
for the petitioner.

Mr. Devender Kumar, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 339 dated 23.07.2019 registered for the offence punishable under Section 365 of Indian Penal Code (for short IPC) (Sections 364-A, 506 read with Section 34 IPC added during investigation) at Police Station Faridabad Kotwali, District Faridabad.

Heard.

Notice of motion.

On asking of the court, Ms. Dimple Jain, A.A.G., Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for petitioner submits that there was money dispute between the parties, on the basis of which present FIR was

registered. Later on the matter has been amicably settled.

Learned counsel for the complainant endorses the submission of learned counsel for petitioner.

Learned State counsel submits that the Investigating Officer is not having any knowledge about the compromise between parties.

A petition bearing CRM No. M-42741 of 2019 has been filed seeking quashing of present FIR on the basis of compromise in which vide order dated 04.10.2019, the parties were directed to appear before the trial Court/Area Judicial Magistrate to get their statement recorded with regard to compromise.

Keeping in view the fact that the matter has been amicably settled between the parties, the present petition is allowed. Petitioner Raju is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

October 15, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE