

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.44627 of 2019 (O&M)

DATE OF DECISION: OCTOBER 24, 2019

Chander Bhawan JhaPetitioner

Versus

State of HaryanaRespondent

CORAM:- HON'BLE MR.JUSTICE SURINDER GUPTA

Present: Mr.Rajesh Lamba, Advocate
for the petitioner.

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SURINDER GUPTA J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.339 dated 23.7.2019, registered for offence punishable under Sections 365 of the Indian Penal Code (364A, 34, 506 of the Indian Penal Code later on added) at Police Station Faridabad Kotwali, District Faridabad.

Heard.

Notice of motion.

On asking of the Court, Ms.Dimple Jain, AAG 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 the petitioner submits that there was money dispute between the parties, on the basis of which FIR was registered. Later on, the matter has been amicably settled.

Learned State counsel submits that the Investigating Officer is not having any knowledge about the compromise between the 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 4.10.2019, 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 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) of the Code of Criminal Procedure.

b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 the eventuality, the petitioner shall have to apply for bail afresh.

c. He shall not leave the country without prior permission of the Court.

OCTOBER 24, 2019

SRM

(SURINDER GUPTA)
JUDGE

Note: *Whether speaking/reasoned:* Yes/No

Whether Reportable: Yes/No