

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M- 16956-2020 (O&M)

Date of Decision: July 16, 2020

Mohit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajat Mor, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. S. S. Mor, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.160 dated 18.03.2020, under Section 379-B Indian Penal Code, registered at Police Station City Bahadurgarh, District Jhajjar, Haryana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 18.03.2020. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the allegations as set out in the FIR are not sustainable while further arguing that the matter stands compromised between the parties and the compromise deed is annexed as Annexure P-2 and it is only due to the pandemic COVID-19 situation that a petition for

quashing of the FIR on the basis of compromise could not be filed and that the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offence alleged against the petitioner is serious in nature, however, she does not dispute the fact that the matter has been compromised between the parties.

Learned counsel appearing on behalf of the complainant contends that the matter has been settled between the parties and he has no objection in case the bail is allowed to the petitioner.

I have heard learned counsel for the parties.

Since, in view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 18.03.2020 and that the matter stands compromised between the parties, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 16, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No