

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-19002-2020 (O&M)

Date of Decision:- 7.8.2020

Ashok @ Katiya

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shiv Kumar, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Shivam Grover, Advocate, for the complainant.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.152, dated 16.4.2020, under Sections 147, 148, 323, 341, 354-B, 379-B, 506 IPC (Section 354-B IPC deleted and Section 8 of POCSO Act added later on), Police Station SGM Nagar, District Faridabad.
2. The FIR in question was lodged at the instance of the victim wherein it has been alleged that on 16.4.2020 she and her uncle had gone to

take medicine to the house of her aunt Shivani and while they were on their way, 2 boys who were in inebriated condition started abusing and beating her uncle. When the complainant tried to make a telephone call to her aunt, the accused Ashok @ Katiya (petitioner) snatched her mobile phone and threw her on the ground and tore her T-shirt. The complainant ran to the house of her aunt and changed her clothes. There are also allegations to the effect that later the accused called more boys to the spot and gave beatings to the complainant's uncle and Ashok @ Katiya also snatched a mobile phone and the said accused snatched jewellery items worn by complainant's aunt Shivani.

3. On the last day of hearing, learned counsel for the petitioner has represented that the matter had been amicably resolved amongst the parties and had requested for adjournment to ensure the presence of the complainant.
4. Today Mr. Shivam Grover, Advocate, put in appearance on behalf of the complainant and has stated that the misunderstandings between the parties have been cleared and the matter has been resolved and that the complainant has no objection in case the petitioner is granted bail.
5. The learned State counsel has however, opposed the petition on the ground that in view of the serious nature of allegations, no case for grant of bail is made out. It has however, been informed that the petitioner has been behind bars since the last about 3 ½ months.

6. Having considered rival submissions addressed before this Court and while noticing that the petitioner has been behind bars since the last more than 3 ½ months and the matter is stated to have been compromised amongst the parties, further detention of the petitioner is not justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

August 7, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No