

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

231

CRM-M-33338-2020

Date of Decision:03.12.2020

Sonu Dhanda

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

Mr. Deepak Bhardwaj, D.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this 2nd petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.28 dated 10.01.2019 under Sections 120-B, 379-B, 384, 406, 420, 506 IPC, registered at Police Station Civil Lines, Karnal, District Karnal.

The earlier petition i.e. CRM-M-3153-2020 filed by the petitioner for grant of regular bail was dismissed as withdrawn vide order dated 27.08.2020 passed by this Court.

Learned counsel for the petitioner has argued that the petitioner is in custody since 29.03.2019 and the matter has been compromised between the petitioner and the complainant. The petitioner and other co-

accused Surinder have filed the quashing petition i.e. CRM-M-8632-2020

(Sonu Dhanda and another Versus State of Haryana and another), so as to quash FIR No.28 dated 10.01.2019 under Sections 406, 420, 506, 34 IPC, registered at Police Station Civil Lines Karnal, District Karnal, on the basis of compromise. He submits that in the aforesaid petition, parties have been directed to appear before the trial Court/Area Judicial Magistrate to get their statements recorded with regard to the compromise.

Learned State Counsel, on instructions from SI Ram Asra, does not dispute the custody of the petitioner. However, he submits that though there is no documentary evidence, but the matter has been settled between the parties.

Heard learned counsel for the parties.

Petitioner is in custody since 29.03.2019. Though, there are other cases against the petitioner, but he is not in custody in those cases. As referred in paragraph 14 of the present petition, there are five other FIRs registered against the petitioner, the details of such FIRs and their status read as under:-

S.No.	FIR details	U/s	Status
1.	FIR No.317 dated 09.07.2019, P.S. City Tohana, Fatehabad.	406, 420 IPC	Discharged on 11.02.2020 by SDM,Tohana.
2.	FIR No.183 dated 02.05.2018, P.S. City Tohana, Fatehabad.	420, 506 IPC	Discharged on 13.06.2019 by JMJC,Kaithal
3.	FIR No.32 dated 25.02.2019, P.S. Patran, Patiala	406, 420 IPC 120-B IPC	Bail by CJM Samana on 10.01.2020
4.	FIR No.102 dated 05.03.2019, P.S. Civil Line, Kaithal Kaithal.	307, 34, 406, 420, 506 IPC	Bail by ADJ, Kaithal On 15.01.2020

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| 5. | FIR No.5 dated 07.01.2019,
P.S. Sadar Tohana,
Fatehabad. | 406, 420,
506 IPC | Compromised on
18.10.2019 in
the Court of
JMIC, Tohana. |
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It is not in dispute that the matter has been compromised between the petitioner and the complainant. In view of COVID-19 pandemic, conclusion of trial will take sufficient long time. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

December 03, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No