

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

CRM-M-41421-2020(O&M)

Date of decision : 14.12.2020

Arun Kumar

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Ashish Sanghi, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Mohan Singh Rana, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.203 dated 10.07.2020 under Section 354-A of the Indian Penal Code, 1860 (Sections 376, 452, 511 IPC were added later on) registered at Police Station Sector 56, District Gurugram, Haryana.

Learned counsel for the petitioner would contend that the petitioner was not named in the FIR and in fact the FIR was against an unknown person. The challan has also been presented in the present case. Learned counsel for the petitioner would further contend that now the complainant and the petitioner have entered into a compromise. As per the compromise, which has been appended as Annexure P-2 with the present petition, the complainant-respondent No.2 has no objection even if the FIR is quashed.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG, Haryana, who has joined the session through video conferencing, accepts notice on behalf of respondent No.1. Mr. Mohan Singh Rana, Advocate, who has also joined the session through video conferencing, accepts notice on behalf of respondent No.2/complainant.

Learned counsel for respondent No.2-complainant has stated that the complainant and the petitioner have since entered into the compromise and she has no objection if bail is granted to the petitioner in the present case.

In view of the above and considering the fact that the petitioner and the complainant have since compromised the matter, without commenting upon the merits of the case, I deem it fit to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

(ALKA SARIN)
JUDGE

14.12.2020
Yogesh Sharma

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO