

CRM-M-42697-2020

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

CRM-M-42697-2020

Date of decision: 23.12.2020

Bhoop Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. C.M.Munjal, Advocate,
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

Mr. Baljit Nain, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.37 dated 28.02.2019, registered at Police Station Loharu, District Bhiwani, under Sections 147, 148, 149, 323, 365, 379-B and 506 IPC.

Learned counsel for the petitioner contends that the alleged incident took place on 20.02.2019, whereas the above-noted FIR was got registered on 28.02.2019 i.e. after a delay of 08 days. He further contends that no specific allegation was attributed to the petitioner and moreover, no recovery was effected from him. He further contends that there was no injury on the person of the complainant.

He further contends that a compromise has been effected between the petitioner and the complainant and even the said compromise had also been placed by the petitioner before the learned Additional

CRM-M-42697-2020

Sessions Judge, Bhiwani. He further contends that out of five other cases pending or registered against the petitioner, he has since been acquitted in case FIR No.97/205, under Section 379 IPC, Police Station Loharu, and has been enlarged on bail in remaining four cases.

On the other hand, learned State counsel opposes the prayer made in the present petition and submits that the petitioner was specifically named in the FIR. He further contends that the petitioner is also involved in six cases. However, he states that he has no instructions regarding the compromise effected between the complainant and petitioner.

Learned counsel for the complainant does not dispute the factum of effecting the compromise between the complainant and petitioner. He further submits that now, the matter has amicably been settled and the other co-accused are on bail.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.07.2019. As stated above, the compromise has been effected between the petitioner and complainant. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

23.12.2020

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No