

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

207

**CRM-M-19619-2021
Date of Decision: 25.05.2021**

Rakesh

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Manoj Pundir, Advocate
for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana
for respondent No.1/State.

Mr. Vikas Bishnoi, Advocate
for respondent No.2/complainant.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Rakesh** in case FIR No.469 dated 18.08.2020 under Sections 148, 323, 324, 341 and 506 IPC read with Section 149 IPC (Section 307 IPC deleted, whereas Section 326 IPC and Sections 3 (1) (r) and 3 (2) (va) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, added later on), registered at Police Station Karnal City, District Karnal.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that otherwise the matter has been compromised between the parties as per Compromise Deed dated 04.05.2021 (Annexure P/6). He further submits that petitioner is in custody since 19.09.2020 and he is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court, wherein offence under Section 307 IPC has been deleted, whereas, offence under Section 326 IPC and Sections 3 (1) (r) and 3 (2) (va) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, have been incorporated therein. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

Learned counsel for the respondent No.2/complainant has given concurrence to the factum of compromise as arrived at between the parties.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 19.09.2020; that

petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Rakesh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Karnal, as the case may be.

(LALIT BATRA)
JUDGE

25.05.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No