

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-34735-2020

Date of decision:12.01.2021

RAJU @ DHARMENDER

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri**Present:** Ms. Amit Choudhary, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Through Video Conference**Jasgurpreet Singh Puri, J. (Oral)**

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in FIR No.643 dated 12.12.2018 under Sections 323, 313, 325 of IPC, Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner has submitted that it is a case where out of a matrimonial dispute the present FIR was lodged and infact no offence was committed at all. He referred to (Annexure P-2) which is a compromsie deed, which the complainant had made stating that she has entered into an agreement with the petitioner in the middle of panchayat.

Learned counsel further submitted that the petitioner is in custody since 04.12.2018 and 4 out of 15 witnesses have already been examined.

On 03.11.2020, Mr. S.P. Khara, Advocate, had caused appearance on behalf of complainant-wife and was directed to file his power of attorney in the Registry of the Court and that he may also file affidavit on behalf of the complainant, if so desired. However, it appears that neither an affidavit has been

filed nor the power of attorney has been filed nor has he appeared in the Court today.

On 17.11.2020 the State counsel had sought time to verify the authenticity of the compromise deed (Annexure P-2).

Today Mr. Naveen Sheoran, DAG, Haryana on instructions from SI Pushpinder Singh has stated that it is correct that the wife has entered into compromise with the petitioner and that it was only a matrimonial dispute.

Therefore, keeping in view the above facts and totality of circumstances of case and without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is granted the concession of regular bail. He be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

12.01.2021
Ithlesh

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No