

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

214

**CRM-M-35084-2020
Date of decision: 15.03.2021**

Prince

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana
for the respondent-State.

Mr. Sukhdeep Singh, Advocate for
Mr. Munish Mittal, Advocate
for the complainant.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.360 dated 03.09.2020 registered under Sections 148, 186, 323, 324, 326, 341 and 506 read with Section 149 of the Indian Penal Code, 1860 at Police Station Indri, District Karnal.

The petitioner being in custody has filed the present petition for grant of regular bail.

The petition has been opposed by the respondent-State in terms of status report filed by way of affidavit of Ramesh Chand, HPS, Deputy Superintendent of Police, Indri.

The complainant has also put in appearance but no reply has been filed by the complainant.

I have heard arguments addressed by learned Counsel for

the petitioner, learned State Counsel and learned Counsel for the complainant.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated. There is version and cross-version of the incident in which the petitioner had also suffered injuries. The complainant party was the aggressor. The alleged injuries suffered by the complainant party were self inflicted and do not correspond to the role attributed to the petitioner. The matter has been compromised between the complainant and the petitioner and even petition for quashing of the FIR on the basis of compromise has been filed. The trial is likely to take long time due to restrictions imposed to prevent spread of Covid-19. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has submitted that in view of the nature of accusation and gravity of the offences, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Learned Counsel for the complainant has not disputed the factum of compromise and submitted that the complainant has no objection if the petitioner is granted regular bail.

In view of the facts and circumstances of the case, nature of accusation and evidence against the petitioner, factum of compromise and the fact that the trial is likely to take long time due to restrictions imposed to prevent the spread of Covid-19, but without commenting on the merits of the case, I am inclined to extend the

concession of regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

15.03.2021

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**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No