

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37919-2020 (O&M)
Date of Decision:-9.3.2021

Kuldeep Cheema ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Monika Jangra, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Parminder Singh.

Mr. Chandra Sekhar. V, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.76 dated 12.10.2020 at Police Station Gandhi Nagar, Jagadhari, District Yamunanagar under Sections 148, 149, 323, 452, 427 and 506 of Indian Penal Code.
2. The FIR in question was lodged at the instance of Manish Kumar, wherein it is alleged that on 11.10.2020 while he and other members of his family were celebrating birthday of his son Deepanshu at his home, then at about 8 p.m., 8-10 boys came there who were under influence of liquor and were carrying sticks and iron rods in their hands and attacked them and on account of

which, he sustained injury on his head and his mother sustained injuries on her leg. It is further alleged that the assailants also damaged their motorcycles and car which were lying parked. The complainant further stated that he recognised the assailants as Gagandeep @ Lucky, Kuldeep Cheema, Aman Randhawa, Vishal Jattin, Shivam Kapoor, Monu Sharma, Tantrik, Goldy and others.

3. Learned counsel for the petitioner submits that the FIR came to be lodged under some misunderstanding, which has now been resolved and infact pursuant to a compromise effected amongst the parties, the petitioner has also filed a petition for quashing of FIR on the basis of compromise i.e. CRM-M-8774 of 2021, wherein notice of motion has been issued.
4. Learned State counsel has, however, opposed the petition on the ground that since serious allegations have been levelled, no case for grant of bail is made out. Learned State counsel has informed that the petitioner as on date has been behind bars since the last about 5 months. Learned State counsel has informed that the petitioner is involved in one more case.
5. Mr. Chandra Sekhar. V, Advocate has put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record. He has endorsed the factum of compromise of the complainant with the petitioner.
6. I have considered rival submissions addressed before this Court.
7. Having regard to the fact that the matter is stated to have been compromised and also while noticing the custody of the petitioner, who has been behind bars since the last about 5 months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail

bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9.3.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No