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

1. CRM-M-44143-2021

PREM CHAND @ SUNNY

...Petitioner

Versus

STATE OF HARYANA

...Respondent

2. CRM-M-44786-2021

NARESH KUMAR

...Petitioner

Versus

STATE OF HARYANA

...Respondent

Date of decision: 01.11.2021

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Brijender Kaushik, Advocate
for the petitioner (In CRM-M-44143-2021).

Mr. Kartar Singh, Advocate
for the petitioner (In CRM-M-44786-2021).

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These are the petitions which have been filed under Section 439
of the Code of Criminal Procedure for grant of regular bail to petitioners
Prem Chand @ Sunny and Naresh Kumar in case FIR No. 0080 dated

06.02.2021, registered under Sections 148, 149, 285, 323, 427, 506, 387, 452, 307 and 75 of the IPC and Section 25/54/59 of the Arms Act at Police Station Krishna Gate, Thanesar, District Kurukshetra, Haryana.

Learned counsel for the petitioners at the very outset relies upon the order dated 29.09.2021 passed in CRM-M-22215-2021 and CRM-M-26313-2021 vide which, two of the co-accused namely Parvesh @ Shunty and Deepu Verma have been granted the concession of regular bail.

The operative part of the order reads as under:-

“...Prayer in these petitions, filed under Section 439 Cr.P.C., is for grant of regular bail to petitioners Parvesh @ Shunty and Deepu Verma in case FIR No. 80 dated 06.02.2021, registered under Sections 148, 149, 282, 285, 323, 427, 506, 387, 452, 307, 75 of the IPC and Section 25 of the Arms Act, 1959 at Police Station Krishna Gate, Thanesar, Kurukshetra.

Learned counsel for the petitioners submit that the FIR was registered on the complainant given by Gursharan @ Anshul with the allegations that petitioners and others came to the house of one Vipin Mishra and demanded Rs. 50,000/-. It is further stated that earlier also, the accused persons have taken money from the complainant but they never returned the same and for this reason, the complainant refused to give them any further money. Due to this, the accused persons caused injuries to complainant.

Learned counsel for the petitioners further submit that the matter has been compromised between the parties and a petition, bearing CRM-M-10374-2021 has already been filed before this Court seeking quashing of the present FIR on the basis of the said compromise, in which the parties have been directed to get their statement recorded and today itself is the date before the trial Court/Illaqua Magistrate for recording the statement of the parties as the statement of the

Investigating Officer has already been recorded.

Learned State counsel, assisted by learned counsel for the complainant, has not disputed the factual position that the case is fixed today itself for recording the statement of the parties in support of the compromise entered into between them.”

Learned counsel for the petitioners further submits that since the matter has already been compromised and the accused have already filed a petition praying for quashing of the FIR on the basis of compromise, in which directions have been issued to record the statements.

Learned State counsel does not dispute the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts and circumstances the case, the instant petition is allowed. Petitioners Prem Chand @ Sunny and Naresh Kumar are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

01.11.2021

Chetan Thakur

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No