

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-44860 of 2021
Date of Decision : 02.11.2021

Mohan Parkash

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Rajesh Bhateja, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.411 dated 13.08.2021 registered under Sections 148, 149, 307, 323, 452 and 506 of the IPC at Police Station Sector-58 Faridabad, District Faridabad.

Learned counsel for the petitioner argues that no specific injury has been attributed to the petitioner, much less any life threatening injury, due to which Section 307 of the IPC has been invoked in the present FIR. Learned counsel for the petitioner submits that the parties have already compromised their dispute in order to live peacefully and as the investigation is already over and the challan has also been submitted, no useful purpose will be served by keeping the petitioner behind the bars

therefore, the petitioner be extended the benefit of regular bail.

Learned State counsel concedes the factum that no specific injury has been attributed to the petitioner as the allegations of inflicting injury upon the victim is on various accused. Learned State counsel also concedes that the challan has already been submitted but, he pleads ignorance with regard to the compromise having been effected between the parties, copy of which has been annexed as Annexure P/1 with the present petition.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, no specific injury has been attributed to the petitioner in the present FIR and the parties have already compromised their dispute coupled with the fact that the investigation is already over and challan has also been presented, no useful purpose will be served by keeping the petitioner behind the bars as trial is likely to take some time before it concludes, especially, when learned counsel for the petitioner undertakes that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded, in any manner, the petitioner has made out a case for the grant of regular bail.

In case of default of the above undertaking given by the learned counsel for the petitioner, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall

not be construed to be an expression of any opinion on the merits of the case.

November 02, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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