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

**CRM-M-46718-2021
Date of decision: 15.11.2021**

SANJEEV @ SANJU

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Kanika Ahuja, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner 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 read with Section 25 of the Arms Act at Police Station Krishna Gate,, Thanesar, District Kurukshetra, Haryana.

Learned counsel for the petitioner relies upon the order dated 12.10.2021 passed in CRM-M No.41936-2021.

The operative part of the order dated 12.10.2021 reads as under:-

“...Learned counsel for the petitioner relies upon a order dated 29.09.2021 passed by this Court in CRM-M-22215 of 2021 and CRM-M-26313 of 2021. 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/Illaqu 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 further submits that the allegations against the petitioner are identical in nature and the matter has been compromised between the parties.

Custody certificate filed in Court today, is taken on record. The learned State counsel has not disputed the factual position and as per the custody certificate, it is stated that the petitioner is in custody for the last about 04 months and 26 days.

Learned counsel for the petitioner further submits that since the matter has been compromised, the petitioner is entitled to be granted the concession of regular bail.

Learned State counsel has filed the custody certificate dated 13.11.2021 in Court today and as per the custody certificate, the petitioner is in judicial custody for the last about 02 months and 03 days.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions made by learned counsel for the parties; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

15.11.2021
Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No