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

**CRM-M-49378-2021
Date of decision: 30.11.2021**

BALBIR AND OTHERS**...Petitioners****VERSUS****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. P. S. Gill, Advocate for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

(Through Video Conferencing)

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 petitioners in case FIR No. 0695 dated 16.10.2021, registered under Sections 323, 324, 325, 308 read with Sections 34 and 506 of the IPC at Police Station Samalkha, District Panipat, Haryana.

Learned counsel for the petitioners submits that as per the prosecution version recorded on the statement of complainant-Geeta, it is stated that petitioners along with the other co-accused entered her house armed with *lathis*, *jella* and *gandasi* and gave beatings to her uncle Karambir, her father Dhoom Singh and aunt Mewa and even molested her.

Learned counsel for the petitioners further submits that in fact it is a case of version and cross-version as FIR No.0694 dated 16.10.2021 was got registered by petitioner No.1 namely Balbir against Dhoom Singh, Shamsher Singh and daughter-in-law of Karambir for giving beatings and abusing them in a drunken condition. The allegation further pertains that they have stolen Rs.20,000/- from the house.

Learned counsel for the petitioners further submits that on account of the fact that both the parties are neighbours and are residing in the same village, a compromise has been effected and that all the persons including complainant-Geeta and the victims namely Dhoom Singh, Karambir and Mewa have given their respective affidavits (Annexures P-3 to P-6) that the matter has been compromised and they do not want any action against the petitioners.

Learned counsel for the petitioners further submits that the compromise has been effected in order to bring peace and harmony amongst the two families.

Learned State counsel does not dispute the fact that the complainant's side have given the affidavits, however submits that the allegations against the petitioners are serious.

I have heard learned counsel for the parties.

Be whatsoever, without commenting upon the merits of the case, considering the fact that it is a case of version and cross-version and both the parties have entered into a compromise and also in view of the fact that the petitioners are in judicial custody for the last about more than 21 days and are no more required for further custodial investigation; the instant petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

30.11.2021

Chetan Thakur

Whether speaking/reasoned
Whether reportable

(ARVIND SINGH SANGWAN)
JUDGE

Yes/No
Yes/No