

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

CRM No. M-50895-2021

Date of Decision : 23.12.2021

Neha

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

Mr. Raghav Sharma, 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 FIR No. 373 dated 05.10.2021, registered under Sections 285, 336, 506, 34 IPC and Section 25 of Arms Act (later on Sections 307 and 120-B IPC added and Sections 285, 336, 34 IPC deleted) at Police Station Pehowa, District Kurukshetra.

Learned counsel for the petitioner argues that complainant got two FIRs registered against the unknown persons being FIR No. 373 dated 05.10.2021 as well as FIR No. 228 dated 19.07.2021, wherein, the petitioner has been roped in by the investigating agency keeping in view the facts and circumstantial evidence which has come on record during investigation. Learned counsel for the petitioner further submits that though the petitioner is innocent but still, in order to buy peace, the matter between the petitioner

and the complainant has already been compromised and, therefore, petitioner may kindly be extended the benefit of regular bail. Learned counsel for the petitioner further submits that in FIR No. 228 dated 19.07.2021, a Co-ordinate Bench of this Court has already extended the benefit of regular bail to the petitioner while passing order in CRM No. M-51052 of 2021 dated 22.12.2021 by taking into consideration the compromise between the parties.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who is present in Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State. Mr. Raghav Sharma, Advocate, appears in Court and accepts notice on behalf of the complainant.

Learned State counsel pleads ignorance about the said compromise between the petitioner and complainant.

Learned counsel appearing on behalf of the complainant concedes the factum that the parties have compromised their dispute and raises no objection in case, the petitioner is extended the benefit of regular bail.

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

Once, the parties have already compromised their dispute and on the basis of the said dispute, another litigation, which is pending in the shape of FIR No. 228 dated 19.07.2021, in which petitioner has already been granted the benefit of regular bail, therefore, same benefit is extended to the petitioner in the present case as well.

The petitioner is directed to be released on regular bail in this

case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

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.

December 23, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*