

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

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CRM-M-1084-2022

Date of decision : 20.01.2022

LAKSHAY

..... Petitioner

VERSUS

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Ms. Sharmila Sharma, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Dinesh Arora, Advocate
for the complainant.

(Through video conferencing)

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.206 dated 11.08.2021 under Sections 148, 149, 323, 307, 452, 427, 506, 397, 201, 120-B IPC and Section 24-54-59 of Arms Act, registered at Police Station Civil Lines, Rohtak.

Learned counsel for the petitioner submits that the allegations against the petitioner are of creating nuisance in a hotel though, the petitioner has not been named in the FIR but has been roped in only on the basis of the disclosure statement of the co-accused. Learned counsel for the petitioner further submits that even the injuries which have been inflicted upon the complainant, are not attributed to the petitioner. Learned counsel submits that thereafter, now the matter has been compromised with the complainant, who has no objection in case, the petitioner is extended the concession of regular bail.

Learned State counsel submits that the allegations alleged against

the petitioner are of damaging of the hotel worth lakhs of rupees though, the State counsel concedes that the petitioner was not named in the FIR but has been roped in on the basis of the disclosure statement of the co-accused. Learned State counsel pleads ignorance about any compromise which has been effected between the petitioner and the complainant.

Learned counsel for the complainant submits that he has got instructions from the complainant that the matter has been compromised and he is not opposing the prayer of the petitioner for the grant of regular bail.

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

Keeping in view the factum that the petitioner was not named in the FIR and has been roped in only on the basis of the disclosure statement of the co-accused and the allegations alleged in the disclosure statement are yet to be proved during the investigation and thereafter, in the trial coupled with the facts that parties have already compromised their dispute and the complainant is not opposing the prayer of the petitioner for the grant of regular bail, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial.

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.

(HARSIMRAN SINGH SETHI)
JUDGE

20.01.2022

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Whether speaking/reasoned
Whether Reportable :

Yes
No