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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.3656 of 2022 (O&M)

Date of decision: 03.02.2022

Sandeep @ Pannu

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Shailender Singh Gill, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. S.K. Jindal, Advocate
for the complainant/respondent No.2.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.16 dated 31.01.2021, registered under Sections 323, 506 of the Indian Penal Code, 1860 (in short 'IPC') (Section 307 IPC added later) at Police Station Sadar Tohana, District Fatehabad.

Counsel for the petitioner has submitted that the petitioner is in custody for the last 10 months and as per the allegations in the FIR, the petitioner has given a blow on the head of Baljeet Singh. It is further submitted that now the matter has been settled between the parties and Baljeet Singh has given an affidavit dated 19.01.2022 that he has no objection, if on the basis of the compromise, the petitioner is granted bail.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail on the ground that the injuries sustained by the complainant is serious in nature.

Counsel for the complainant, on the other hand, has acknowledged the factum of compromise arrived at between the parties.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 09 months and 24 days; the investigation is complete; challan stands presented; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

03.02.2022

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No