

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

220

CRM-M-5556-2022(O&M)

Date of Decision : **March 08, 2022**

PARAS KHAN

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. V.P.Sangwan, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

CRM-7903-2022

The present application has been filed for withdrawal of the main case.

The learned counsel for the applicant-petitioner has prayed for the withdrawal of the present application and has stated that he may be permitted to argue the case on merits.

On his request, the present application is dismissed as withdrawn.

Main case

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No. 580 dated 24.9.2021 under Sections 323, 34, 506 IPC (later on Section 307 IPC was added) registered at Police Station Bhiwani Sadar, District Bhiwani.

The learned counsel for the petitioner has submitted that in the present case earlier the FIR was registered under Sections 323, 34 and 506 IPC but later on the provisions of Section 307 IPC were added in the FIR and the petitioner is in custody from 9.11.2021 and after the investigation of the case, challan has been presented in the competent Court and nothing is to be recovered from the petitioner. He submitted that the fight took place between the petitioner and the complainant due to some dispute of some house and which was a result of a misunderstanding and thereafter even the matter has been compromised between the parties vide Annexure P-2 in which the complainant has stated that the fight was a result of some misunderstanding.

On the other hand, the learned State counsel has stated that some of the prosecution witnesses have been examined and they have turned hostile. He submitted that he has no knowledge with regard to the compromise.

At this stage, Ms. Anu Garg, Advocate has appeared on behalf of the complainant and has stated that it is correct that the compromise has been effected between the parties and that a fight which took place was a result of some misunderstanding and the injured persons are hale and hearty.

I have heard the learned counsels for the parties.

The petitioner is in custody from 9.11.2021. The investigation of the case is already complete and challan has been presented before the competent Court and even some prosecution witnesses including both the injured have been examined and as per the

learned State counsel, they have turned hostile. As per the learned counsel for the complainant both the injured are hale and hearty and the compromise has been effected between the parties. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the facts and circumstances of the present case, this Court deems it fit to grant bail to the petitioner.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

March 08, 2022
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No