

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

206

CRM-M-6579-2022

Date of decision: 21.02.2022

DEEPAK AND ORS.

.....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Prabhjeet Singh Sullar, Advocate
for the petitioners.

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent-State.

Mr. Atul Garg, Advocate
for the complainant/respondent No. 2.

SANT PARKASH, J. (ORAL)

(The case has been taken up for hearing through video conferencing.)

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioners, in case, FIR No. 001 dated 01.01.2022 registered under Sections 323, 365, 34 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Julana, District Jind to which Sections 379-B, 420 and 406 of the IPC were added later on.

The present FIR was registered on complaint made by Keemat Sain on the allegations that on 01.01.2022 at around 1.30 P.M., when he was at home then accused persons Sandeep Jangra on his motorcycle and Parminder Sharma on his scooter came and assaulted him. They forcibly dragged the complainant to the motorcycle and made him sit on the middle of the same being driven by Sandeep Jangra

and Subhash sat on the back of the motorcycle. The accused persons took him to the Office of 'Saizal Company' where Deepak assaulted him with a wooden binda. The accused persons made him run away and threatened him. On return to his home, the complainant shared the incident with his wife Pushpa who took her to the hospital for treatment. Thereafter, the complainant lodged complaint with the police for initiating action against the accused persons.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioners has argued that the petitioners have been falsely implicated in the present case. There were financial transactions between the complainant and the accused persons which were to be settled and the present FIR was lodged by the complainant with unfounded and baseless allegations. Now, the dispute has been settled between the parties and memo of understanding dated 24.01.2022 to this effect settling the entire dispute has already been placed on record as Annexure P-2. The petitioners are in custody since 01.01.2022. No recovery is to be effected from the petitioners. The trial is likely to take long time and no useful purpose will be served by keeping the petitioners in custody. Therefore, the petitioners may be ordered to be released on regular bail.

Mr. Atul Garg, Advocate has appeared on behalf of the complainant and filed his power of attorney through special messenger which is taken on record.

Learned Counsel for the complainant/respondent No.2 has

admitted the factum of compromise and has submitted that he has no objection in case the petitioners are granted regular bail in the present case.

Having considered the facts and circumstances of the case, the matter has been compromised/settled by the petitioners with the complainant, no recovery is to be effected from the petitioners, the period of custody but without expressing any opinion on the merits of case, the petition is allowed and the petitioners are ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

21.02.2022
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No