

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

**CRM-M-19738-2022
Date of decision: 13.05.2022**

Sanju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vikas Gulia, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 445 dated 28.11.2021, registered under Sections 323, 324, 34, 452, 506 of the IPC (Section 307 IPC added later on) at Police Station Gohana Sadar, District Sonipat.

Learned counsel for the petitioner, at the very outset, submits that the petitioner, without any prejudice to his right of defence, is ready to pay a compensation of Rs. 25,000/- to victims Prema w/o Rajbir and Rekha w/o Gulab, towards their medical expenses. It is further submitted that since the petitioner and victims are closely related, there is a possibility of an amicable settlement as well.

Learned counsel for the petitioner further submits that as per allegations in the FIR, brother of the petitioner, namely Bunty, has given

injury invoking Section 307 IPC and the allegation against the petitioner is that he has given simple injuries by kick and fist blows.

Learned counsel further submits that the petitioner is in judicial custody for the last 03 months and 19 days and he is not involved in any other case.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position and it is submitted that *challan* stands presented, however, the charges are yet to be framed.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last 03 months and 19 days; he is not involved in any other case and also in view of the fact that he has volunteered to compensate the aforesaid victims by paying them Rs. 25,000/- towards their medical expenses, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqua Magistrate, concerned.

However, this will be subject to a condition that at the time of furnishing bail/surety bonds, the petitioner will deposit an amount of Rs. 25,000/- with the trial Court, which will further be handed over to aforesaid two victims in equal share. The payment of compensation to the victims shall not cause any prejudice to the right of defence of the petitioner.

13.05.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No