

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-25773-2021 (O&M)**

Amandeep @ Deepu ...Petitioner

Versus

The State of Haryana ...Respondent

(II) CRM-M-7952-2022 (O&M)

Amarjeet @ Rohit ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision: 20.12.2022**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. B.S.Saroja, Advocate, for the petitioner
in CRM-M-25773-2021.Mr. S.S.Sahu, Advocate, for the petitioner
in CRM-M-7952-2022.

Mr. Rajiv Sidhu, DAG, Haryana.

Ms. Shelja Sharma, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose off the aforesaid two petitions i.e. CRM-M-25773-2021 filed on behalf of Amandeep @ Deepu and CRM-M-7952-2022 filed on behalf of Amarjeet @ Rohit, seeking grant of regular bail in respect of a case registered against them vide FIR No.228 dated 21.09.2020 at Police Station Sadar Rattia, District Fatehabad, under Sections 147/148/323/341/506 IPC (Sections 149/325/307 IPC added later on).

2. The FIR in question was lodged at the instance of Ashwani Kumar (brother of victim Anjani Kumar), wherein it has been alleged that petitioners alongwith other co-accused had inflicted injuries to his brother Anjani Kumar including grievous injuries on head.
3. Learned counsel for the petitioners have submitted that the matter has been amicably resolved amongst the parties and that the complainant has no objection for grant of bail to the petitioners.
4. Opposing the petitions, learned State counsel has submitted that since it is a case for offence under Section 307 IPC and as a matter of fact 8 injuries were found on the person of injured Anjani Kumar including 4 injuries on head, which also includes 1 fracture, no case for grant of bail is made out. Learned State counsel has, however, informed that both the petitioners as on date have been behind bars since the last about 1 year & 11 months and otherwise stand involved in 2 cases each. It has also been informed that although charges have been framed, but none out of cited 18 PWs has been examined till date.
5. Learned counsel representing the complainant has expressed that the complainant has no objection for grant of bail to the petitioners, as the matter has been amicably resolved.
6. This Court has considered rival submissions.
7. Vide previous order dated 31.10.2022, this Court had directed the statement of the injured witness, who is deaf & dumb, to be recorded in accordance with directions, which had been issued vide order dated 27.10.2021 passed in CRM-M-30689-2021, wherein it was directed that the statement of the injured witness be recorded by some Expert in Sign Language. Report of learned Sessions Judge, Fatehabad has been

received. The relevant extract from the said report dated 08.12.2022 reads as follows:

“I have the honour to submit that in compliance of abovesaid order dated 31.10.2022 of Hon’ble High Court of Punjab and Haryana, on 07.12.2022, statement of complainant/eye witness Ashwani Kumar has been recorded and statement of injured Anjani Kumar (brother of the complainant), who is a deaf and dumb person, has been recorded with the assistance of Sh. Vishal, Sign Language Interpreter, Welfare Centre for Persons with Speech and Hearing Impairment, Hisar and Sh. Vishal, Sign Language Interpreter has also given his certificate with regard to recording of statement of Anjani Kumar under his instructions as per the signs given by him. In their statements, complainant Ashwani Kumar and injured Anjani Kumar have stated that they have voluntarily compromised the matter in dispute with the accused persons without any pressure or threat and they do not want any action against them.”

8. As per the said report, the complainant Ashwani Kumar has also categorically stated that the matter stands compromised and he does not wish to take any action.
9. In view of the aforestated position particularly keeping in view the fact that both the petitioners have been behind bars for a substantial period of about 1 year & 11 months and trial has not even commenced, both the petitions are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
10. A photocopy of this order be placed on the connected file.

20.12.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**