

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

**CRM-M-24182 of 2022
Date of Decision:- 02.06.2022**

Kuldeep

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ravi Malik, Advocate
for the petitioner.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant of regular bail in case having FIR No.09 dated 11.01.2022 registered under Sections 324, 506 IPC (Sections 326 and 308 added later on), Police Station Jagadhri Sadar, District Yamuna Nagar, Haryana.

The counsel for the petitioner contends that both the parties are closely related to each other and now the dispute has been settled between the parties amicably and the compromise deed is Annexure P-2. The counsel further contends that even otherwise the petitioner is in custody since 31.01.2022 and on completion of investigation challan has been presented, but it will take time for the trial to conclude.

On asking of the Court, Ms. Harpreet Kaur, AAG, Haryana accepts notice on behalf of State of Haryana, whereas, Mr. Ashish Grewal, Advocate has put in appearance on behalf of complainant.

The State counsel submits that as per the allegations appearing in the FIR, the petitioner caused head injury to Ankit son of the complainant and on examination of the said injury fracture of petrous part of left temporal bone was detected. The State counsel further submits that in the given situation the compromise stated to have been effected between the parties has got no relevance, as the offences under Section 326 and 308 IPC are non-compoundable offences.

Counsel for the complainant has not disputed the fact of compromise, which has been effected between the parties and he further submits that the complainant as well as injured Ankit have no objection, if the bail is granted to the petitioner.

Admittedly, the petitioner is in custody since 31.01.2022. On completion of investigation challan has been presented. However, it will take considerable time for the trial to terminate as the same has not commenced. It appears on the record that the parties have effected compromise. In these circumstances, this Court is of the view that no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

The present petition stands disposed of accordingly, so also the pending miscellaneous application(s), if any.

02.06.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No