

**CRM-40229-2021 in/and
CRM-M-34131-2021
Date of Decision: 06.01.2022**

Shokin

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Munfaid Khan, Advocate,
for the applicant-petitioner.

Mr. Munish Sharma, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 115, dated 09.04.2021, registered at Police Station Punhana, District Nuh, for the alleged commission of an offence punishable under the provisions of Section 379-B of the IPC and Sections 25/54/59 of the Arms Act, 1959.

On 05.10.2021 the following order had been passed by this court:-

“CRM-32847-2021

Vide this application, the applicant-petitioner seeks to place on record a copy of an affidavit stated to have been executed by the complainant in the FIR, i.e. Mausam.

Notice in the application.

Mr. Neeraj Poswal, AAG Haryana, accepts notice at the asking of the Court.

The application is allowed subject to all just exceptions.

A copy of the affidavit, with its translated version, is taken on record.

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The petitioner as also the complainant in the FIR, i.e. the aforesaid Mausam, would appear before the learned trial Court on 01.11.2021 to record their statements in respect of the compromise, if any, arrived at between them, with a direction issued that at the time when the statement of the complainant is to be recorded, the petitioner shall not be present in the court room, of course after the complainant identifies the petitioner to be the person with whom he has entered into a compromise (if any). Thereafter, after recording of the statement before the learned trial Court, the complainant would be escorted back to his residence.

The report with regard to a compromise, if any, be sent to this Court on or before 13.12.2021, by the trial Court.

The complainant, Mausam, is also ordered to be impleaded as respondent No.2 in the memo of parties, with a direction to the Registry to carry out the necessary correction in the memo of parties.

Notice be issued to the newly added respondent, returnable on the date fixed.

Dasti also.”

Pursuant thereto, the report of the learned Additional Sessions Judge, Nuh, dated 22.11.2021, is on record, stating to the effect that there is only one accused in the matter and only one person aggrieved, i.e. the

complainant, Mousam, who recorded his statement on 01.11.2021, to the effect that he had settled the matter amicably with the petitioner and that he has no grievance against him any longer.

That being so, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

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This application has been rendered infructuous in view of the report of the learned Additional Sessions Judge and is disposed of as such.

January 06, 2022
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.