

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

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**CRM-M-38814-2022 (O&M)  
Decided on : 15.09.2022**

Ajay

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

PRESENT: Mr. Saurabh Dalal, Advocate  
for the petitioner(s).

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Sandeep, Advocate  
for the complainant.

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**SANJAY VASHISTH, J. (Oral)**

This instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Sections 308, 323, 34, 325 of IPC, in FIR No. 261, dated 11.05.2022, registered at Police Station Gohana Sadar, Sonipat, during the pendency of trial.

Learned counsel for the petitioner submits that parties have entered into compromise and the said compromise dated 13.08.2022 is annexed as Annexure P-1 along with the present petition. He further submits that based upon the said compromise, an another petition for quashing of FIR in question on the basis of compromise i.e. CRM-M-37724-2022, has been preferred by the parties before this Court and statements of the accused Ajay, complainant Ram Chander and victim Suraj Bhan, have already been recorded before the trial Court. Necessary intimation in this regard, has

been separately forwarded to this Court for placing the same on record of the concerned quashing petition.

In support of his contentions, learned counsel for the petitioner has produced the certified copy the zimni order dated 06.09.2022 and certified copies of the statements of the victim Suraj Bhan, complainant Ram Chander and accused Ajay (petitioner herein), which authenticates that the parties have actually settled the matter peacefully.

The compilation of the aforesaid certified copies of the zimni order as well as of respective statements, is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

On the other hand, learned State counsel submits that since the case under Section 307 of IPC is non-bailable, such compromise is of no use and on the basis of compromise, petitioner could not be extended the concession of regular bail.

However, learned counsel appearing on behalf of the complainant Ram Chander and victim Suraj Bhan, supports the submissions made by learned counsel for the petitioner by admitting the execution of the compromise and making relevant statements qua the factum of such compromise before the Court below.

I have heard learned counsel for the parties and perused the relevant material on record.

In view of the stand of the respective parties, this Court is of the view that petitioner deserves the concession of bail and other aspects of the FIR in question, would definitely be looked into the concerned quashing petition i.e. CRM-M-37724-2022, but based upon the compromise, petitioner deserves concession of bail.

Accordingly, the present petition is allowed. The petitioner is

ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, if not required in any other case.

**(SANJAY VASHISTH)**  
**JUDGE**

**September 15, 2022**  
*J.Ram*

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