

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

211

**CRM-M-42335-2022
Decided on : 27.09.2022**

Anup

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. KDS Hooda, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner – Anup, who has been booked for having committed the offences punishable under Sections 323, 341, 506, 34 of IPC (Sections 308, 325 of IPC added later on), in FIR No. 411, dated 22.07.2022, registered at Police Station Israna, District Panipat, during the pendency of trial.

Learned counsel for the petitioner submits that in a separate quashing petition filed on the basis of compromise, a direction has already been issued by this Court vide order dated **25.08.2022**, in **CRM-M-38025-2022**, titled as “**Anup Singh and others Vs. State of Haryana and others**”, to appear before the Trial Court/Illaq Magistrate, for recording statements *qua* the compromise. He further submits that in compliance thereto, the respective parties have appeared before the Ld. JMIC, Panipat, on 06/07.09.2022, and got recorded their statements.

In support of his submissions, learned counsel for the petitioner has placed on record the photocopies of the joint statements of the victim

Sheela and Dharambir and also the joint statements of all the four accused persons i.e. Anup Singh, Sharmila, Anand and Chand Ram. The said photocopies of the statements of the parties are taken on record, subject to all just exceptions.

On the other hand, learned State counsel is also not in a position to controvert the submissions made by learned counsel for the petitioner.

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

In view of the fact that initially case was registered under Sections 323, 341, 506, 34 of IPC and Sections 308, 325 of IPC were added later on, coupled with the factum of recording of statements of the parties for accepting the compromise, I am of the view that relief of granting bail to the petitioner is worth considerable.

On asking of Court, learned State counsel submits that matter is still under investigation, though he is not in a position to controvert the factum of filing of quashing petition i.e. CRM-M-38025-2022, filed by the accused parties, which is pending before this Court.

In view of the totality of circumstances and the factors recorded hereinabove, the prayer made in the present petition is allowed. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made here-in-above shall not be construed as an

expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

September 27, 2022
J.Ram

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