

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

214

CRM-M-42124-2022

Date of Decision : **September 19, 2022**

HARI KISHAN @ HARI

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Sandeep Yadav, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, Asstt. Advocate General, Hry.

PANKAJ JAIN. J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail to the petitioner in case FIR No.119 dated 14.4.2022 under Sections 148, 149, 323, 341, 452, 506 IPC (later on added Sections 395, 397, 412 IPC at Police Station Sadar, Jhajjar, District Jhajjar.

Custody certificate by way of affidavit has been placed on record. As per the same, the petitioner has undergone actual custody of 4 months and 27 days.

Counsel for the petitioner while relying upon the order dated 29.8.2022 passed in CRM-M-37533-2022 submits that co-accused stands admitted to regular bail. He further submits that it is a case of an altercation between the parties who are related to each other. He submits that as per the MLRs of all the injured/victims, the injuries suffered by all of them are merely bruises and abrasions and are simple in nature. He

further submits that the parties have already reconciled their differences and have reached at a compromise. On the basis of such compromise dated 3.8.2022 quashing petition for quashing of FIR and proceedings subsequent thereto also stands filed before this Court and is now pending for 18.10.2022 in CRM-M-38028-2022. He submits that the investigation is complete and the challan already stands presented.

Counsel for the State is not in a position to dispute the aforesaid factual assertions which are borne out from the record.

Keeping in view the fact that the investigation already stands completed, the challan stands presented, the incarceration suffered by the petitioner, the concession of regular bail having already been extended to the co-accused and the fact that the parties have reconciled their differences, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

September 19, 2022

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**(PANKAJ JAIN)
JUDGE**

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