

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

CRM-M-46047-2022

Date of decision : 17.10.2022

Kapil

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.238, dated 21.05.2022, registered for the offence punishable under Sections 323, 506 and 34 IPC (Section 379-B of IPC added later on) at Police Station Beri, District Jhajjar.

2. Counsel for the petitioner submits that the petitioner is in custody since 21.05.2022. The investigation is complete. Challan stands presented. He further relies upon affidavit dated 05.07.2022 (Annexure P-2) sworn on oath by Naveen Kumar son of Gajanad to submit that the parties have reconciled their differences and have compromised the matter. He further relies upon order dated 12.09.2022 passed by this Court in CRM-M-41426-2022, whereby co-accused namely Amit @ Murga has been granted interim protection in petition filed under Section 438 Cr.P.C. seeking pre-arrest bail.

3. Mr. Ambavta opposes the prayer made by the petitioner referring to the the seriousness of the allegations levelled against the petitioner. However, he is not in a position to dispute the factual assertions made by counsel for the petitioner placed on record.

4. I have heard counsel for the parties and have gone through the records of the case.

5. The petitioner is in custody since 21.05.2022. Challan already stands presented. On conclusion of investigation, there is no apprehension expressed by the State that the petitioner shall tamper with the evidence.

6. Keeping in view the incarceration already suffered by the petitioner and without commenting on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

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

(PANKAJ JAIN)
JUDGE

17.10.2022

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No