

**107+212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No.46833 of 2022 in/and
CRM-M No.47849 of 2022 (O&M)
Date of decision : 05.12.2022**

Anand

..... Petitioner

versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Vikram Sheoran, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

PANKAJ JAIN, J. (ORAL)

CRM No.46833 of 2022

This is an application for placing on record affidavit dated
19.11.2022.

For the reasons recorded, the application is allowed. Affidavit
(Annexure A-1) is taken on record.

CRM-M No.47849 of 2022

This petition has been filed under Section 439 Cr.P.C. for grant
of regular bail to the petitioner in case F.I.R. No.265 dated 23.07.2022
registered under Sections 323/341/379-B/506/34 IPC at Police Station
Siwani, District Bhiwani.

Custody certificate by way of an affidavit of Rai Sahab,
Deputy Superintendent, District Prison (Bhiwani), Haryana on behalf of the
respondent has been filed. The same is taken on record.

Learned counsel for the petitioner submits that the petitioner is in custody since 27.07.2022. Challan already stands presented. It has been further submitted that apart from the merits of the case, the parties have reconciled their differences and the matter stands settled. In order to impress upon the aforesaid assertion, counsel for the petitioner refers to an affidavit of the complainant appended as Annexure A-1.

Per contra, learned State counsel submits that he is not in a position to dispute the factual assertion made by the counsel for the petitioner. However, the petitioner is a habitual offender and there is another FIR pending against him though the petitioner stands admitted to bail in the said case.

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

Keeping in view the fact that the parties have compromised the matter and the incarceration suffered by the petitioner and the fact that the investigation already stands concluded as the challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

05.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No