

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-206-2023 (O&M)
Date of Decision: 12.1.2023

Neeraj

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Anil Kumar Malik, Advocate
for the petitioner.

KARAMJIT SINGH, J. (Oral)

Prayer in the present 2nd petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.610 dated 31.7.2022 registered for the offences punishable under Sections 323, 324, 326, 506, 120-B, 216 IPC and Sections 25, 54, 59 of Arms Act at Police Station Old Industrial Area, District Panipat.

Notice of motion.

Mr. Naveen Kumar Sheoran, DAG, Haryana. accepts notice on behalf of the State and Mr. Anil K. Sokal, Advocate has appeared for the complainant.

Counsel for the petitioner submits that the petitioner, who is falsely implicated in this case, is in custody for the last more than 5 months and after completion of investigation, the police has presented the challan and further that the matter has been compromised between the parties but it will take considerable time for the trial to conclude. So, prayer is made that the petitioner be granted regular bail.

Present petition is resisted by the State counsel who on instructions from SI Inder Singh submits that the petitioner is named in the FIR and he along with his companions caused injuries to Ravi brother of the complainant. However, State counsel has not disputed the fact that the petitioner is in custody for the last more than 5 months and that after completion of investigation, the police has presented the challan and now the case is fixed for framing of charges.

Counsel appearing on behalf of the complainant submits that the compromise has been effected between the parties and on the basis of the said compromise, parties have already moved this Court under Section 482 of Cr.P.C. for quashing of FIR in CRM-M-44367-2022.

In view of the fact that the investigation already stands completed but the trial is at its initial stage and further, the parties have entered into compromise, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

January 12, 2023

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No