

226 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-5309-2023

DECIDED ON: 7th FEBRUARY, 2023

RAM KUMAR

PETITIONER

VERSUS

STATE OF HARYANA

RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ranjit Saini, Advocate
for the petitioner.

SANDEEP MOUDGIL, J

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 107, dated 29.06.2001, under Sections 323, 324, 325 and 34 IPC (Section 307 IPC read with Section 120-B IPC added later on), registered at Police Station Chappar, District Yamunanagar.

Learned counsel for the petitioner submits that it was a family dispute and a compromise has already been effected between the parties. The assertion is that the petitions seeking quashing of the present FIR as well as FIR Nos. 37 and 38, dated 10.03.2022 & 11.03.2022 respectively have already been filed before this Court on the basis of compromise.

Notice of motion.

On the asking of Court, Mr. Ashok Kumar Sehrawat, DAG, Haryana accepts notice on behalf of respondent-State. He does not

controvert the factum with regard to compromise. He opposes the prayer

made in the present petition on the ground that the petitioner has been declared proclaimed offender and does not deserve the concession of bail.

Since the dispute is between the family members and now they have amicably resolved the dispute and moreover, quashing petitions on the basis of compromise have also been filed by the parties. It would be appetite to note here that the co-accused of the petitioner already stands acquitted by the trial Court, therefore, the factum of petitioner becoming proclaimed offender in the present FIR does not disentitle him from the grant of regular bail. Moreover, this Court is of the considered view that when the parties have buried their hatchet for once and for all and want to live in peace and harmony, no fruitful purpose would be served by keeping the petitioner behind bars for an indefinite period.

Considering the afore-said facts and circumstances, the petitioner is ordered to be released on regular bail subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

However, it is clarified that the observations made herein above shall not be construed as an expression of opinion on the merits of the case.

The petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

7th FEBRUARY, 2023.

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| 1. Whether speaking/ reasoned : | Yes / No |
| 2. Whether reportable : | Yes / No |