

CRM-M-13183-2023

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2023:PHHC:041264

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M-13183-2023

Date of Decision: 21.03.2023

Kapil

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Balwinder Sangwan, Advocate for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Mr. Pushp Jain, Advocate for the complainant.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 20.03.2023, filed by learned
counsel for the State, is taken on record.

Vakalatnama filed on behalf of the complainant is taken on
record.

The petitioner has filed the present petition under Section
439 read with Section 482 Cr.P.C., for grant of regular bail in case FIR
No. 308 dated 14.06.2022 registered under Sections 323/34 and 506 IPC
(Section 307 IPC was added later on and Section 34 IPC was removed)
at Police Station Adarsh Nagar, Faridabad.

Briefly, the aforesaid FIR was registered on the complaint of complainant-Maan Singh, on the allegations that on 12.06.2022 at about 8:40 A.M. an altercation had taken place between Akash and driver of the petitioner. Driver of the petitioner telephonically informed him about the said altercation. After sometime, the petitioner along with his accomplices, namely, Rambir and Gautam, armed with lathi and danda, came at the spot. On seeing them, Akash, fled away from the spot. Later on, complainant and his son-Rahul were present near their shop. The accused had caused injury on the head of Rahul. On raising hue and cry, the assailants have fled away from the spot.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner has falsely been implicated in the instant case. He further submits that now, the matter has already been compromised between the parties. Petitioner is in custody since 28.06.2022. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

Learned counsel appearing for complainant-Maan Singh, fairly admits that the matter has now been compromised between the parties and he has no objection in case, the present petition is allowed and petitioner be released on regular bail.

Keeping in view the facts and circumstances of the case, custody period of the petitioner and the fact that the matter has already been compromised between the parties, but without commenting on

merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Kapil, is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

March 21, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No