

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 246

CRM-M-13186-2023

Date of Decision-19.05.2023

DAYA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. KPS Virk, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Jatin Kundu, Advocate for
Mr. J.S. Kang, Advocate
for the complainant.

KARAMJIT SINGH, J. (ORAL)

1. This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.582 dated 10.08.2022 under Section 34, 341, 365, 379-B & 506 of IPC, 1860 registered at Police Station Rohtak City, District Rohtak.

2. The allegations in brief are that on 31.03.2022 in the evening, the petitioner kidnapped Ravi son of complainant-Kamlesh and also took into possession his Motor Cycle and Mobile Phone and petitioner also gave beatings to Ravi and threatened him with dire consequences.

3. During investigation the petitioner was arrested on 11.08.2022.

4. Counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and is incarcerated for the last more than 9 months and is having no criminal

history and that the alleged recoveries are already effected in this case

and now the matter stands compromised between the parties and concerned compromise deed is Annexure P-3. Counsel for the petitioner further submits that the trial is at the initial stage so prayer is made for releasing the petitioner on bail.

5. Notice of motion

6. On the asking of Court, Mr. Vishal Kashyap, DAG, Haryana who is present in the Court, accepts notice on behalf of State. Mr. Jagtej Singh Kang, Advocate, accepts notice on behalf of the complainant/respondent Nos. 2 & 3 and the power of attorney filed by him is taken on record.

7. Learned State counsel on instructions from ASI Bhup Singh has submitted that the petitioner is named in the FIR. However, the learned State counsel has not disputed the fact that the petitioner is in custody for the last about 9 months and is having no criminal history.

8. Counsel appearing on behalf of respondents No.2 & 3 has admitted the factum of compromise deed (Annexure P-3) and further submits that he has no objection if the present petition is allowed.

9. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

19.05.2023
yogesh

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No