

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRM-M-14366-2023

Date of decision: 27.03.2023

Kuldeep Singh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lakhwinder Singh, Advocate
for the petitioners.

Mr. Rahul Mohan, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioners are seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.160 dated 17.05.2022 under Sections 148, 149, 201, 323, 379(B), 452 and 427 of the IPC registered at Police Station City Ratia.

Learned counsel for the petitioners, while drawing the attention of this Court to the allegations levelled in the FIR, submits that it was registered against unknown persons and there was not even any oblique reference to the petitioners therein. He submits that it was only subsequently the petitioners came to be nominated as accused on the basis of disclosure statement made by co-accused Sumit Kumar. Learned counsel submits that on the face of it a false and fabricated case has been planted upon the petitioners and it stands fortified from the fact that the parties have filed a petition (CRM-M-6567-2023) for quashing of the FIR in question on the basis of compromise effected

between the parties.

Per contra, learned State counsel while opposing the prayer made by counsel opposite, on instructions from SI Sandeep has not been able to controvert that the petitioners are not involved in any other criminal case much less a case of similar nature. He, on further instructions, has also not been able to controvert that the petitioners were nominated as an accused on the basis of a disclosure statement and no recovery was effected from them.

I have heard learned counsel for the parties and perused the material placed on record.

In the facts and circumstances as enumerated hereinabove coupled with the fact that the parties have amicably settled their dispute, and in which regard a petition for quashing of the instant FIR has also been filed, this Court deems it fit to extend the concession of bail to the petitioners.

Accordingly, the instant petition is allowed. The petitioners be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

27.03.2023

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No