

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-44529-2023 (O&M)

Date of Decision : 14.12.2023

SOHAN LAL

.... Petitioner

VERSUS

STATE OF HARYANA

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Alisha Soni, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG Haryana.

Ms. Sunita Gupta, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.0093 dated 04.05.2023 under Sections 376, 511, 454 (added later on) of the Indian Penal Code, 1860 registered at Police Station Raipur Rani, District Panchkula.

2. Learned counsel for the petitioner would contend that the parties have since compromised the matter and that a petition for quashing of the FIR on the basis of compromise has also been filed being CRM-M-51071-2023.

3. Learned counsel for the State has filed the custody certificate and as per the custody certificate the petitioner has been in custody for a period of 6 months and 16 days.

4. Learned counsel for the complainant states that the parties have since compromised the matter and that the FIR was a result of a misunderstanding. Learned counsel would further states that he has no objection if bail is granted to the petitioner in view of the compromise arrived at between the parties.

5. Heard.

6. In the present case the parties have since compromised the matter. On the basis of the said compromise, another petition being CRM-M-51071-2023 has been filed for quashing of the FIR and vide order of even date the parties have been directed to appear before the Court concerned for getting their statements recorded with regard to the compromise. The petitioner has been in custody for a period of 6 months and 16 days. The trial is likely to take some time to conclude and no useful purpose would be served by keeping the petitioner behind the bars any further.

7. In view of the above and without commenting upon the merits of the case, this Court deems it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Additional Sessions Judge (Duty) concerned.

8. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

9. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

10. Disposed off. Pending applications, if any, also stand disposed off.

14.12.2023
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
 Whether reportable: YES/NO