

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.44770 of 2023
Date of decision: 14th September, 2023

Vikas

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anjum Ahmed, Advocate for the petitioner.
Mr. Karan Jindal, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.278 dated 23.04.2023 under Sections 323, 365, 379-B, 506, 34 IPC registered at Police Station Azad Nagar, District Hisar.

2. Learned counsel for the petitioner inter alia submits that subsequent to the registration of the FIR in question, which emanated from a trivial dispute and a scuffle, the parties had ironed out their differences and arrived at an amicable settlement, which fact stood reflected in the challan, which had since been presented before the trial Court. It has further been submitted that in the facts and circumstances as enumerated hereinabove, since investigation is complete, further incarceration of the petitioner would serve no useful purpose as he has

now been in custody for almost three months, having been arrested on 29.06.2023.

3. Per contra, learned State counsel, on instructions, has not been able to dispute the submissions made by the counsel opposite with respect to the parties having amicably settled the dispute. It has also not been disputed that the case in hand hinges on documentary evidence.

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

5. As admitted by learned State counsel, the parties have amicably settled their dispute. The petitioner has now been in custody since 29.06.2023 and there is thus no likelihood of the trial concluding in the near future as charges are yet to be framed. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)
JUDGE

September 14, 2023
rps

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