

228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49814-2023
Date of decision : 16.10.2023

VIKRANT @ BAGGA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Sanpreet Sandhu, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

Mr. Mandeep Nehra, Advocate for the complainant.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.542 dated 10.07.2023 registered for the offences punishable under Sections 148, 149, 379-B, 506 of the Indian Penal Code, 1860, at Police Station City Yamuna Nagar, District Yamuna Nagar.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. As per the contents of the FIR, it has been alleged as under :

“xxx it is a request that I am Reshma, wife of Allabanda, resident of Atma Puri Colony, Old Hamid and do household work. On dated 09/10-07-2023 at around 2 o'clock in the night, my father-in-law Aamir called my sister-in-law Nargis and said that Vikrant Baga, Sahil, Golu son of Sirajudeen, Asif alias Pachi and 5/7 other boys who came with them have locked me in Mehtab's

house in Atmapuri Colony and they are beating me and snatching money from me. on the information of which my sister-in-law Nargis along with her sisters Misba, Anam went to Mahtab's house and where Vikrant alias Baga, Sahil or Golu son of Sirajudeen, Aasif alias Pachi or 5/7 who came with him started abusing and assaulting my sister's in law. My sister in law Misba is pregnant for 4 months and Vikrant kicked her in the stomach due to which my sister-in-law Misba started having stomach pain. After that my sister-in-law Misba came running to me and told me the whole story. When I went on the spot with my husband Alla Banda. where my husband Alla Banda told Vikrant Baga that why did you fight with my father and sisters, on which Vikrant alias Baga, Sahil or Golu son of Sirajudeen, Asif alias Pachi and 5/7 other boys who came with him, whose names I do not know attacked me or my husband Ala Banda with sticks lying in the room and Vikrant alias Bagga snatched the silver chain from my husband's neck and Pachi pulled the gold chain from my neck which broke half of the chain and Pachi snatched half of the chain and Golu snatched my sister in law Anam's phone VIVO 21 color black whose bill is with us and ran away from the spot after threatening to kill us. My sister-in-law Misba is undergoing treatment in Civil Hospital. I have present MLR MLR/AB/12/YNR/MLR date 10-07-2023 of AILabanda AND MLR/ AB/10/YNR/MLR date 10-07-2023 of my sister in law Misba TO YOU. My father-in-law Aamir told us that he had 60,000/- rupees, that too has been snatched by accused person -Vikrant Baga, Sahil, Golu son of Sirajudeen and Aasif alias Pachi and legal action be taken against them.”

4. Counsel for the petitioner submits that the parties have already compromised the matter and relying upon such compromise, the petition i.e. CRM-M-46818-2023 is pending before this Court for 18th of December, 2023 and the statements are to be recorded on 30th of October, 2023. He

further contends that the petitioner is in custody 8th of August, 2023.

5. Mr. Mandeep Nehra, Advocate appears on behalf of the complainant and admits the factum of compromise between the petitioner as well as complainant.

6. Ld. State Counsel also does not dispute the factual assertions made by Counsel which are based on record.

7. I have heard counsel for the parties and have gone through records of the case.

8. Without commenting on the merits of the case and keeping in view the fact that since that parties have amicably settled their dispute, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

9. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

October 16, 2023
Dpr (Pankaj Jain)
Judge

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