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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-58070-2023****Date of Decision: 23.11.2023**

Rahul

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr.Balraj Gujjar, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Vikas Saroha, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.172 dated 15.05.2023 registered under Sections 147, 149, 323, 379, 506 of IPC and added later on Section 307 of IPC, at Police Station Farrukhnagar, Gurugram.

2. As per the case of the prosecution, the FIR in the present case was got registered by Rupesh Kumar on the ground that the petitioner and others had caused injuries to him. Even the accused had snatched his mobile phone and money and fled from the spot after threatening him.

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and from the averments made in the FIR (Annexure P-1), it is evident that the involvement of the petitioner could not be even inferred in the present case. He further contends that vide compromise deed dated

07.11.2023 (Annexure P-2), the matter has been amicably resolved between the parties. He further contends that Alkesh, injured has also submitted an affidavit (Annexure P-3), confirming the factum of compromise. Learned counsel further contends that co-accused, Devender has already been ordered to be released on regular bail, vide Annexure P-5, passed by the trial Court.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

4. Learned counsel appearing on behalf of the complainant submits that he has no objection, if the petitioner is ordered to be released on bail, in view of the compromise deed (Annexure P-2).

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner is in custody since 16.05.2023 i.e. for the last about six months and the matter has been amicably resolved between the parties. Even the co-accused has already been released on bail by the trial Court.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

23.11.2023
hemlata

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