

229-2
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRA-S-36-2024
Date of decision: 19.01.2024

Kanwarpal alias Kaibi ...Appellant

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sahil Gupta, Advocate for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present appeal has been filed by the appellant against the order dated 21.12.2023 whereby an application filed by the appellant seeking grant of regular bail in case having FIR No.495 dated 14.10.2023 under Sections 147, 148, 149, 427, 323, 325, 506, 452 of IPC (325 of IPC added later on) and Section 3 of SC and ST (Prevention of Atrocities) Act, at Police Station Agroha, District Hisar was dismissed by the Court of Additional Sessions Judge, Hisar.
2. As per the allegations appearing in the FIR, the dispute which took place about 4 days prior to registration of the FIR, was settled between the parties with the intervention of the panchayat. However, on the same day at about 3 PM, the appellant along with 50 unknown persons trespassed into shop of complainant Sombir and caused injuries to him with different weapons, the miscreants also vandalized the shop of the complainant and abused him in name of his caste and that the complainant belongs to

scheduled caste. The petitioner was arrested in this case on 26.11.2023.

3. Counsel for the appellant submits that the accused persons including the appellant were falsely implicated in the present case at the instance of the complainant and that the appellant is lodged in judicial custody and matter stands compromised between the parties. So prayer is made, the appellant be released on regular bail.

4. The State counsel while opposing the present appeal submits that no ground is made out to grant of regular bail to the appellant.

5. Mr. Hemant Hans, Advocate appearing on behalf of the complainant has admitted that matter stands compromised between the parties and is having no objection if the appellant is released on bail.

6. In view of the above, without commenting on the merits of the case, the present appeal is allowed and the appellant is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

19.01.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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