

CRM-M-11413-2024
(233)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11413-2024 (O & M)
Date of decision: 11.03.2024

Vishal Petitioner
V/s
State of Haryana ...Respondent

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. D.S. Virk, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in case FIR No.783 dated 29.12.2023 under Sections 147, 148, 149, 307, 323, 324, 341, 427 and 506 IPC (Section 326 IPC added and Section 307 IPC deleted later on) registered at Police Station Rania, District Sirsa.

2. The learned counsel for the petitioner contends that a compromise has been arrived at between the parties and a petition bearing CRM-M-No.12453-2024 seeking quashing of the aforesaid FIR based on a compromise has been filed in which statements have been ordered to be recorded vide order of the even date and the matter is now posted for hearing on 23.07.2024. He, therefore, contends that as the petitioner is a first-time offender, in custody since 30.12.2023 and none of the 18 prosecution witnesses had been examined so far, he was entitled to the concession of bail.

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3. The learned counsel for the State, on the other hand, contends that the serious nature of the allegations levelled against the petitioner did not entitle him to the grant of bail. He, however, concedes that a compromise has been effected between the parties and a quashing petition has been filed for the same.

4. I have heard the learned counsel for the parties.

5. Admittedly, the petitioner is a first-time offender and is in custody since 30.12.2023. The investigation stands completed and none of the 18 prosecution witnesses have been examined so far. The accused have preferred a petition bearing No.CRM-M-12453-2024 seeking quashing of the FIR on the basis of a compromise in which case this Court had directed the parties to get recorded their statements in support of the compromise. Therefore, the further incarceration of the petitioner is not required.

6. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Vishal is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

(JASJIT SINGH BEDI)
JUDGE

March 11, 2024
sukhpreet

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