



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(215)

CRM-M-13602-2024 (O & M)
Date of decision: 27.08.2024

Simma
V/s
.... Petitioner

State of Haryana
...Respondent

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajesh Goyal, Randhawa, Advocate, for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Ravi Kumar Girdhwal, Advocate, for the complainant.

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 a case FIR No.246 dated 19.09.2023 under Sections 323, 324, 341, 506 and 34 IPC (Sections 201 and 307 IPC added later on), registered at Police Station Sanoli, Panipat.

2. The learned counsel for the petitioner contends that a compromise has been arrived at between the parties. As the petitioner was in custody since 23.10.2023 but none of the 18 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, he was entitled to the concession of bail.

3. The learned counsel for the complainant does not dispute the factual position of a compromise having arrived at between the parties and states that he has no objection if the petitioner is granted the concession of bail.

4. The learned counsel for the State has, on the other hand, while referring to the reply dated 06.05.2024 contends that the serious nature of



the allegations levelled against the petitioner, did not entitle him to the concession of bail. He, however, concedes that the petitioner was in custody since 23.10.2023 and that none of the 18 prosecution witnesses had been examined so far.

5. I have heard the learned counsel for the parties.
6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 23.10.2023 but none of the 18 prosecution witnesses have been examined so far. Further, a compromise has been arrived at between the parties which is attached as Annexure P-3 to the petition. In this view of the matter, the further incarceration of the petitioner is not required.
7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Simma is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.
8. The present petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 27, 2024

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