



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.42134 of 2024
Date of decision: 4th September, 2024

Sandeep Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. D.V. Dhindsa, Advocate for the petitioner.

Mr. Gagandeep S. Chhina, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0085 dated 25.04.2024 under Sections 323, 34, 506 of the IPC (Sections 325, 307 IPC added later on) registered at Police Station Raipur Raini, District Panchkula.

2. Learned counsel for the petitioner has submitted that it was on account of some property dispute that the occurrence in question took place, wherein allegedly the petitioner inflicted Lathi blow on the head and eye of the complainant. Learned counsel has further submitted subsequently, the parties, who are co-villagers, have now ironed out their differences with the intervention of respectables and well-wishers, vide compromise (Annexure P-4). It has been further submitted that on account of the parties having resolved their disputes, they would be



shortly approaching this Court under Section 528 of the BNSS seeking quashing of the FIR on the basis of compromise. Learned counsel has also submitted that investigation in the present case is complete as challan stands presented; hence in the aforementioned facts and circumstances, further incarceration of the petitioner, who has clean antecedents, would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not controverted the role attributed to the petitioner in the crime in question, i.e. of inflicting Lathi blows on the head and eye of the complainant; it has also not been disputed, on instructions, that investigation in the present case is complete as challan stands presented. On further query, learned State counsel has submitted that charges are likely to be framed on the next date of hearing fixed before the trial Court and as many as 17 witnesses have been cited by the prosecution. Learned State counsel has, however, feigned ignorance about the compromise purportedly affected between the parties.

4. Mr. Hamid Hussain, Advocate has entered appearance and filed his power of attorney on behalf of the complainant. He has not disputed the contents of the compromise (Annexure P-4) arrived at between the parties. The other submissions made by the learned counsel for the petitioner have also not been disputed by the learned counsel for the complainant. Still further, he has not opposed the prayer made by the



learned counsel for the petitioner for extending him the concession of regular bail in view of the compromise affected between the parties.

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

6. The petitioner has been in custody since 13.05.2024. Investigation in the present case is complete as challan stands presented. The parties have purportedly affected a compromise and which fact, as already observed earlier, has been confirmed by the learned counsel for the complainant. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

September 4, 2024
rps

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