

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-55707-2023

Date of decision: 29.01.2024

BALDEV SINGH

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. J.P. Jangu, Advocate
for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.801 dated 18.09.2023, under Sections 147, 149, 323, 452 and 506 of IPC (Sections 379-B and 201 of IPC added later on), registered at Police Station Hisar City, District Hisar.

2. On 23.11.2023, this Court considering the compromise effected between the present petitioner and the complainant, granted the relief of interim bail to the petitioner. The operative part of the order reads as under:-

"The counsel for the petitioner has submitted that a separate petition was filed for quashing of present FIR on the basis of compromise, bearing number as CRM-M-56332-2023, which is pending before this Court for 29.01.2024; wherein the parties have been directed to appear before the trial Court for recording of their respective statements regarding the compromise. However, since the petitioner is in custody, he will be unable to appear before the concerned Court.

Notice of motion.

Mr. Krishan K. Chahal, Addl. AG Haryana, accepts notice on behalf of the respondent-State and prays for time to get instructions.

Adjourned to 29.01.2024.

In the meantime, as an interim measure, It is ordered that the petitioner be released on interim bail on his furnishing bail bonds/sureties to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate, so as to enable him to appear before the trial court for recording of his statement regarding compromise."

3. It is not under dispute that the compromise has been effected between the present petitioner and the complainant, however, learned State counsel informs this Court, that the petitioner is involved in one more case.

4. Considering the fact that the petitioner is behind the bars since 26.09.2023, and the matter has been compromised between the parties, and the final report was filed way back on 21.11.2023, and out of the total 10 prosecution witnesses, none has been examined so far.

5. Considering the above, this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the trial, and is only meant for deciding the present petition.

29.01.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No