

[107+244] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-2667-2024 in/and
CRM-M-63081-2023

Date of Decision : 31.01.2024

Rihan @ Rihan Fajal ...Petitioner
versus
State of HaryanaRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Mohammad Arshad, Advocate for the petitioner.
Mr. Sumit Jain, Addl. AG, Haryana.
Mr. Nasir Jamal, Advocate for the complainant.

DEEPAK GUPTA, J. (ORAL)

CRM-2667-2024

This is an application under Section 482 Cr.P.C. moved by the petitioner to place on record copy of the Compromise Deed (Annexure P-4) executed between the petitioner and the complainant-Lokesh Kumar.

Power of attorney has also been filed on behalf of the complainant-Lokesh Kumar.

Learned counsel for the complainant concedes the factum of compromise. As such, Annexure P-4 is taken on record.

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[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.147, dated 01.08.2023 under Sections 148, 149, 153-A, 379-A, 427, 506, 395 & 201 of IPC, registered at Police Station Nagina, Nuh, Haryana.

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[2] Status report by way of affidavit dated 29.01.2024 of Shri Kaptan Singh, HPS, Deputy Superintendent of Police, F.P. Jhirka, District Nuh, on behalf of respondent-State along with custody certificate dated 30.01.2024 have been filed in Court today. The same are taken on record. Copies of the same supplied to the counsel opposite.

[3] As per prosecution allegations, the petitioner was part of a mob. On 31.07.2023, said mob was burning shops of a particular community. It is alleged that an amount of Rs.1,55,000/- besides 02 lap tops, 01 computer, 02 printers and other articles were looted from the shop of complainant-Lokesh Kumar.

[4] Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that he is not named in the FIR and that the only attribution to him is that a stolen lap top belonging to the complainant was shown to have been recovered from him. Learned counsel further contends that matter has since been compromised between the petitioner and the complainant. Copy of that compromise is Annexure P-4.

[5] Learned State Counsel conceded the fact that the petitioner is not named in the FIR and that attribution to him is the recovery of stolen lap top.

[6] The custody certificate reveals that the petitioner is in custody for the last 04 months and 22 days, though, he is involved in two other cases.

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[7] Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

31.01.2024
'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>