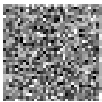


2025:PHHC:032589



223

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12050-2025
DECIDED ON: 07.03.2025

PARDEEP KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Diwan S. Adlakha , Advocate
for the petitioner.

Mr. Chetan Sharma, DAG Haryana

Mr. Ajay Chauhan, Advocate for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

1. Relief Sought

This petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail in FIR No. 225 dated 24.08.2024 registered under Section 109(1), 3(5), 351(2), 351(3) of BNS and Sections 333, 308(4) added later on of BNS, at Police Station Chhachhrauli, District Yamuna Nagar.

2. Facts

Facts as narrated in the FIR reads as under:-

“Copy of statement is attached- Statement of Diwan Chand S/o Santram R/o Village Ganaula, Police Station Chhachhrauli, District Yamuna Nagar, age about 46 years, Mobile No. 9812276046. It is stated that I am a resident of the above mentioned address and I deal in liquor business and I have taken

L-13 liquor warehouse in Jagadhri along with other associates; and sometime ago, Komal wife of my son Gurpreet Singh had contested the Sarpanch elections in which we had won. Due to this victory, we had a rift with the opposition party that had lost against us. In which Pradeep Kumar S/o Dharambir resident of village Ganaula started having enmity with us, who came to his house on 23.08.2024 in the evening; that at around 10.30 PM, above mentioned Pradeep Kumar came to our house and called me, on which I opened the door of my room and looked outside, then above mentioned Pradeep Kumar was standing with his companion Tanish alias Lathar S/o Dilshad R/o Salempur Bangar Road village Chhachhrauli, who is already known to me and one of their companion was standing outside in the street on a Bullet motorcycle black in colour. I made Pradeep and Tanish sit inside the room for conversation and the boy sitting on the Bullet motorcycle, to whom I do not know, was standing outside. For some time, we had a normal conversation among ourselves; after the conversation, all three of us came out of the room into the street, as soon as we came into the street, above mentioned Pradeep asked for five lakh rupees from me, on which I said that I do not have money; upon this Tanish said that if you want to do liquor business, then you will have to give 5 Lakh Rupees, if you do not give the money then we will kill you; on this Pradeep said to Tanish to take out the stuff and we will kill him right now; on saying this Pradeep caught my right arm and the boy whose name and address is not known, caught my left arm and Pradeep also gagged my mouth with one hand, due to that I could not scream; on which Tanish took out a knife like sharp weapon from his pocket and with the intention of killing me made a fatal attack on my neck from behind, I fell down; and those three considering me dead, fled from the spot on their bullet motorcycle alongwith their weapons. When I screamed, on hearing my voice, my family members came outside. That my son Gurpreet and other family members brought me to Civil Hospital Yamuna Nagar for

treatment. From where my family took me to Gaba hospital Yamunanagar from where the doctor referred me to Alchemist Panchkula, where I am now undergoing treatment at Alchemist. That Pradeep, Tanish alias Lather and a boy whose name and address are not known, have demanded 5 lakh rupees from me for doing liquor business and when I refused, they attacked me with a sharp weapon on my neck, with the intent to kill me. Legal action may be taken against all three persons. I have given my statement in writing to you at Alchemist Sector- 21, Panchkula, I have read and understood it, it is correct.'

3. Contentions:

On behalf of the petitioner

At the outset, learned counsel for the petitioner submits that the matter has been compromised between the parties on the basis of compromise dated 18.01.2025 (Annexure P-3), with the intervention of the respectable of the society, the complainant does not want to pursue with the matter any further. He further submits that both the parties have preferred a petition bearing CRM-M-4445-2025 for quashing of the FIR, which is pending for 11.03.2025.

On behalf of the State/complainant

Learned State counsel filed the custody certificate of the petitioner, which is taken on record. He does not controvert the submissions made by learned counsel for the petitioner.

Learned counsel appearing on behalf of the complainant admits the factum of compromise dated 18.01.2025 (Annexure P-3) and also endorsed no objection, in case the present petition is allowed and petitioner is admitted on bail.

4. Analysis

Considering the fact that the parties have already settled their dispute on the basis of compromise dated 18.01.2025 (Annexure P-3) and a quashing petition bearing CRM-M-4445-2025 has already been preferred, no fruitful purpose would be served by keeping the petitioner behind bars.

5. Relief

In view of the discussions made hereinabove, the petitioner is hereby directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

In the afore-said terms, the present petition is hereby allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

07.03.2025

Meenu

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