

CRM-M-23680-2015
DECIDED ON: JULY 28, 2015

UMANG CHAUDHARY

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. J.S. Bedi, Sr. Advocate with
Mr. Lovekirat Singh, Advocate
for the petitioner.

Mr. Rohit Arya, AAG, Haryana

Instant petition has been preferred by Umang Chaudhary under Section 439 Cr.P.C. seeking regular bail in case FIR No. 1060 dated December 03, 2014 under Sections 420, 467, 468, 471, 506 and 120-B IPC registered at Police Station City Hisar, District Hisar.

2. It is an admitted fact that there was a financial transaction between the parties, according to which a sum of ₹15 lacs was payable by the petitioner to the complainant. Matter was set at rest by way of compromise/settlement (Annexure P-3). A glance at the compromise/settlement (Annexure P-3) makes it evident that complainant received a sum of ₹8 lacs as full and final settlement and further nothing remains due to the petitioner. But without disclosing the factum of compromise/settlement, a complaint under Section 156 (3) Cr.P.C. was moved by the complainant before Jurisdictional Magistrate, on the basis of which, instant FIR was registered.

3. During the course of arguments, learned State counsel has disputed the compromise/settlement (Annexure P-3) alleging that the signatures of the

complainant have been procured on Annexure P-3 by exercising coercion and pressure upon the complainant by the petitioner but there is nothing on record to support this version at this stage and it only an assertion. If at all, there is any controversy regarding Annexure P-3 that could be taken into consideration by the trial Court during the trial of the case.

4. Moreover, petitioner is cooling his heels behind the bars since the date of his arrest i.e. February 26, 2015 and disposal of trial would take sufficient long time. Thus, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

5. Taking into consideration all the above-said aspects, this court deems it a fit case to extend the concession of bail to the petitioner. Accordingly, instant petition is allowed and petitioner is ordered to be released on bail to the satisfaction of learned trial Court.

JULY 28, 2015
SHAM

(JASPAL SINGH)
JUDGE