

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-35711 of 2015
Date of Decision: 21.10.2015

Prabhjeet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

and

Criminal Misc. No. M-35731 of 2015

Harsimrat Singh

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. D.D. Sharma, Advocate in CRM-M-35711/15 and
Mr. S.S. Rangi, Advocate in CRM-M-35731/15
for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA J.(Oral)

This order shall dispose of CRM-M-35711 of 2015 and
CRM-M-35731 of 2015 as common prayer is made in both the petitions

and both the petitions arise of common FIR. However, for brevity, facts have been noticed from CRM-M-35711 of 2015.

Prayer in the present petition filed under Section 439 CrPC is for grant of regular bail to the petitioner in case FIR No.159 dated 20.8.2015 under Sections 420/465/468/471/120-B IPC registered at Police Station Navi Baradari, Jalandhar.

Learned counsel for the petitioner contends that in the present FIR, a compromise has arrived at between the complainant and the petitioner and to that effect, the complainant has furnished his affidavit dated 7.10.2015 which is annexed along with this petition as Annexure P-8. Relevant paras of affidavit dated 7.10.2015 read as under:-

“3. That the deponent has also received Rs.4,25,000/- as settled amount from the accused and also received a sum of Rs.7,50,000/- in the shape of drafts payable to Toyota Finance against the finance amount outstanding against the accused.

4. That the deponent undertake that he is agreed to make the statement to this effect in the bail application and has no objection if the accused under custody be granted bail.”

On the other hand, learned State counsel submits that even if the complainant has entered into a compromise with the petitioner, the petitioner has committed offence against the State/ society by fabricating documents and has got hypothecation cancelled and therefore, he does not deserve the benefit of bail.

Heard.

Taking into consideration the fact that the complainant has entered into a compromise with the petitioners-accused in the case in hand, which is triable by a Magistrate, the present petitions are allowed. The petitioners namely Prabhjeet Singh and Harsimrat Singh are admitted to regular bail subject to their furnishing of bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Jalandhar.

October 21, 2015
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(HARI PAL VERMA)
JUDGE