

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM no.M-4065 of 2015 (O&M)

Date of Decision :23.03.2015

Sachin Chholey

....Petitioner

Versus

State of Haryana and another

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. K.S.Lakhanpal, Advocate for the petitioner

Mr. P.S.Chauhan, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

Mr. Sanjay Verma, Advocate for respondent no.2.

MAHESH GROVER, J.

The petitioner prays for grant of bail in terms of Section 439 Cr.P.C in case FIR no. 597 dated 2.12.2013 registered under Sections 406, 420, 120-B IPC at Police Station Sector 5, Gurgaon.

The petitioner was accused of having taken money from the complainant in order to get his admission to a medical course for which a sum of Rs.81 lacs was paid. It is stated by the complainant that out of this amount, an amount of Rs.51 lacs has already been received by him and the petitioner who had individually received a sum of Rs. 8 lacs had returned the same to him. It is thus stated that by both the parties that the matter has been settled.

Ordinarily this Court would have considered the serious allegations against the petitioner to determine the issue of bail but noticing the fact that the petitioner has settled the matter with the complainant and returned the amount of Rs. 8 lacs which had come to him as per his share, I

am of the view that no useful purpose would be served by keeping the petitioner in custody. Apart from this it is to be noticed that the petitioner is in custody since January, 2014. In view of the aforesaid facts, instant petition is allowed. It is directed that petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of the learned Trial Court.

The factum of the compromise has been noticed but the parties would be at liberty to raise any question of dispute in this regard in the event of one arising.

March 23, 2015
rekha

(MAHESH GROVER)
JUDGE