

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM -M-5979 of 2017 (O&M)

Date of decision: 03.05.2017

Kamal Kant Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Mr. G.S. Rawat, Advocate for
Mr. B.K. Mehta, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 163 dated 05.07.2011, registered under Section 420 of IPC, at Police Station Division No.5, Ludhiana.

The learned counsel for the petitioner states that during the pendency of the present petition, a compromise has been reached between the parties and the entire payment has been made to the complainant by way of demand draft and post dated cheque, a photocopy of the same is taken on record as Mark 'A'. He further states the petitioner is not involved in any other FIR and he is in custody since 23.09.2016.

On the other hand, learned State counsel opposes the bail application and states that the petitioner was declared as a proclaimed offender. However, he fairly admits that the petitioner is not involved in any other FIR.

The learned counsel for the complainant duly acknowledges the factum of compromise.

I have heard learned counsel for the parties and perused the record.

Considering the factum of compromise and the fact that the petitioner is not involved in any other FIR, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

03.05.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No