

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

**CRM-M No.40826 of 2018(O&M)
Date of Decision: 04.10.2018**

**Sushil Mehta
Versus
State of Haryana**

**.....Petitioner
.....Respondent**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ajay Bhardwaj, Advocate
for the petitioner.

Mr. Ram Tilak Reddu, DAG, Haryana.

Mr. Amit Sharma, Advocate
for respondents No.2 to 4.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner seeks grant of regular bail in case bearing FIR No.337 dated 18.04.2017 registered under Sections 406, 420, 506, 120-B IPC at Police Station Karnal Sadar, District Karnal.

[2]. Earlier the prayer was rejected in CRM-M No.36214 of 2017 which was decided on 17.04.2018 along with CRM-M No.31285 of 2017 on the ground that the petitioner had already undertaken before the Lok Adalat on 08.11.2017 that he would make good the due payment to the complainants. In all fairness, one last opportunity was given to the petitioner to fulfill his

promise arising out of decision dated 08.11.2017 passed by the Judicial Magistrate First Class-Presiding Officer, Daily Lok Adalat and order dated 16.11.2017 passed by the High Court. As a last resort, the time was given to the petitioner upto 07.05.2018 to satisfy the entire claim of the complainants irrespective of his hardship, if any.

[3]. At the relevant time, the petitioner did not make good the payment and prayer was dismissed by this Court vide order dated 03.08.2018 passed in CRM-M No.23871 of 2018.

[4]. Now the complainants namely Om Pal son of Duli Chand, Rajinder son of Balwan Singh and Krishan son of Balbir have executed affidavits collectively attached herewith as Annexure P-4 and stated that they have no objection in case, regular bail is granted to the petitioner as they have entered into a compromise with the petitioner. Para No.2 of the aforesaid affidavits read as under:-

“2. That the compromise has been effected between the deponent and Sushil Mehta, in view of compromise the applicant Sushil Mehta is ready to pay the amount of the deponent. As such the deponent having no objection if the Hon'ble Court can grant the regular bail to the petitioner Sushil Mehta.”

[5]. Learned counsel appearing for the complainants has also endorsed the factum of compromise by the complainants

with the petitioner.

[6]. Challan has already been presented. Out of total 18 prosecution witnesses, 3 prosecution witnesses have been examined. Trial may take some time in its culmination. Petitioner is in custody since 18.04.2017 and is no more required for further investigation of the case.

[7]. In view of above, without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

[8]. Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

October 04, 2018

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**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**