

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

CRM-M No. 40260 of 2017

DATE OF DECISION :- January 16, 2018

Parmod

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. N.S. Shekhawat, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Ketan Antil, Advocate for the complainant.

This petition for regular bail has been filed by petitioner Parmod, an accused in F.I.R. No. 705 dated 27.12.2016 for offences under Sections 406, 420, 506 and 120-B IPC registered with Police Station Gharaunda District Karnal.

Briefly stated the facts of the case as per the prosecution story are that FIR was registered on the basis of complaint submitted by complainant Promila wife of Naveen Kumar, alleging that Rajul s/o Rashid, Parmod s/o Attar Singh, Charanjeet and Bakshi Ram had hatched a conspiracy and in order to defraud her had taken an amount of Rs.34 lacs from her, showing her land in village Kalheri, Tehsil Gharaunda, preparing a forged agreement; that she had moved an application regarding this fraud at Police Station Gharaunda. Thereafter, accused asked for forgiveness in

the assembly of Panchayat, agreeing to return the amount and the agreement in question was cancelled. Charanjeet @ Charni had issued a cheque in the sum of Rs.23,50,000/-, but on presentation the cheque was dishonoured. She had prayed for taking of action against the accused.

It is submitted by learned counsel for the petitioner that Charanjit @ Charni besides another accused Rajul have since been granted bail by this Court on 24.7.2017 and case of this petitioner is on better footing. Further more the dispute is of civil nature and complaint for bouncing the cheque has since been filed by the complainant against Charanjeet @ Charni which is pending. The petitioner is behind bars for more than seven months as such he be granted regular bail.

Learned counsel for the complainant while conceding the fact that talks for amicable settlement are going on between the parties and he does not oppose the request for grant of regular bail.

Learned State counsel has filed the custody certificate showing that petitioner is involved in two more other cases i.e. a complaint under Section 138 of the Negotiable Instruments Act titled Suresh v/s Parmod besides F.I.R. No. 96 of 2017 for offence under Section 174-A IPC.

Under the circumstances, I find that the petition deserves to be accepted. The same is allowed. Resultantly, the petitioner is ordered to be released on bail subject to furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Karnal subject to the following conditions : -

- (i) He shall appear in the Court on each and every date of hearing.

(ii) He shall not give any threat or intimidation to the prosecution witnesses.

(iii) He shall not leave India without prior permission of the Court.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

Since the petitioner has got record of absconding and being declared a proclaimed offender, the Court while accepting the bonds is to ensure that surety in the heavy amount be taken from the person having permanent residence within the jurisdiction of that Court and having sufficient immovable properties.

(H.S. MADAAN)
JUDGE

January 16, 2018

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No