

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

(1)

**Crl. Misc. No.M-42639 of 2017 (O&M)
Date of Decision: May 31, 2018**

Harmeet Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

(2)

Crl. Misc. No.M-6237 of 2018 (O&M)

Balwinder Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

**Present: Mr. U.K. Agnihotri, Advocate
for the petitioner (s).**

Ms. Monika Jalota, D.A.G. Punjab.

**Mr. Aman Pal, Advocate
for the complainant.**

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.99 dated 08.06.2015 registered for the offence punishable under Sections 420, 406 read with Section 120-B of Indian Penal Code, at Police Station Lalru, District SAS Nagar.

Heard.

Learned counsel for the petitioners submits that petitioners be allowed three months interim bail to sell their land and return the money which they have taken from the complainant.

Learned counsel appearing for the complainant has no objection if the interim bail as sought by the petitioners is allowed.

Learned State counsel submits that she has also no objection if the matter can be amicably settled between the parties.

In view of submission of learned counsel for the petitioners, both these petitions are allowed and the petitioners are ordered to be released on interim bail till 10.09.2018, on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, subject to following terms:-

- a. The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- c. They shall not leave the country without the prior permission of the Court.

The interim bail has been allowed to the petitioners with condition that they will return the entire amount taken by them from the complainant by that date. In the event of their failure to pay the amount to complainant by way of demand draft or by way of deposit in their account,

they will surrender before the trial Court on 11.09.2018 and shall be taken into custody. They will be at liberty to seek fresh bail on merits by moving application in this regard.

May 30, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No