

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

207

**C.R.M-M No.804 of 2019
Date of Decision : 16.01.2019**

Narender Singh

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vinod S. Bhardwaj, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. H.S. Deol, Advocate
for the respondent No.2.

AJAY TEWARI, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.324 dated 14.09.2018 registered under Sections 408, 420 IPC and Sections 467, 468, 471 IPC (added later on) at P.S. Udyog Vihar, Gurugram.

Custody certificate filed in Court dated 15.01.2019 by way of affidavit of Sachin Kumar, Deputy Superintendent, District Prison (Gurugram) is taken on record. As per the same, the petitioner has undergone more than 1 ½ months custody.

As per the allegations, the petitioner defrauded the complainant. Counsel appearing for the complainant-respondent No.2 states that the matter has been settled and that the petitioner has to make the

payment of Rs.40 lakhs to the complainant but that can be done only if he is released on bail.

Learned DAG has accepted the factum of compromise between the parties and states that he would not oppose the bail but it should be conditional so that in case the petitioner does not make the payment he would be liable to be arrested.

I find this to be a fair submission. Keeping in view the entire conspectus of facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to grant regular bail to the petitioner subject to the condition that in case the petitioner does not make the payment as mentioned above he would be liable to be arrested. Ordered accordingly. Bail to the satisfaction of the CJM/Illaqa Magistrate, Gurugram.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

January 16, 2019
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No