

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

CRM-M No.11854 of 2019 (O&M)

Date of Decision: 23.04.2019

Sourav Kashyap

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. A.S.Khosa, Advocate for the petitioner.

ASI Surinder Pal for respondent No.1/State.

Mr. H.P.S.Sidhu, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in case FIR No.161 dated 13.11.2014 (*wrongly mentioned as 11.11.2014*) (**P-1**), under Sections 420, 406, 415 and 417 of the Indian Penal Code, 1860, registered at Police Station Division No.2 Pathankot, District Pathankot.

On 26.03.2019, this Court passed the following order:-

“ *Contends that as a matter of fact the entire amount in question i.e ₹ 1,10,000/- has already been paid by the petitioner to the complainant and a compromise to that effect was reduced into writing between the parties on 23.01.2019 (P-2).*

If that be so, let the complainant Vishal Sharma son of Sham Sunder, resident of Railway Colony, Tehsil and District Pathnkot be impleaded as party respondent no.2.

Necessary amendment be made in the memo of parties.

Let notice of this petition be issued to newly added respondent no.2 for 23.04.2019.

Dasti, as well.

To be heard along with CRM-M-39457-2018.”

Today, in pursuance of the above order, Mr. H.P.S.Sidhu, Advocate has appeared on behalf of respondent No.2 and acknowledged that matter has been compromised between the parties.

As the entire amount of ₹ 1,10,000/- has already been received by the complainant, therefore, there is no justification to keep the petitioner behind the bars any more. Consequently, this Court is left with no option except to release the petitioner on bail forthwith. Hence, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court and will not seek any unnecessary adjournments.

April 23, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>