

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

**CRM-M No.30017 of 2019 (O&M)
Decided on: 22.07.2019**

Krishan Gopal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Abhishek Dhull, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. M.K. Pundir, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.126 dated 22.03.2018, for offence punishable under Sections 406, 420 and 120-B of the Indian Penal Code (in short 'IPC'), registered at Police Station Old Faridabad, District Faridabad.

Counsel for the petitioner has submitted that as per the allegations in the FIR, the petitioner has allegedly cheated the complainant. It is further submitted that subsequent to the arrest of the petitioner, the matter has been compromised with the complainant – Rahdey Shyam and the petitioner has paid back the amount along with interest.

Counsel for the complainant has not disputed the aforesaid fact and submits that the affidavit of the complainant (Annexure P-3)

has been executed by him.

Counsel for the State, on instructions from ASI Jagdish, submits that some other complaints are also pending against the petitioner, which are under investigation.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 18.02.2019; the offences are triable by the Court of Magistrate; the petitioner has compromised the matter with the complainant, who has acknowledge the same and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

22.07.2019

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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No