

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-35467-2019 (O & M)
Date of Decision: November 01, 2019

DALIP KUMAR

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vibhor Bansal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. N.L. Sammi, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 102, dated 10.05.2019, under Sections 406, 420, 454 and 380 of the Indian Penal Code ('IPC' - for short) (Section 201 IPC added later on), registered at Police Station City Rajpura, District Patiala.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he has taken a sum of ₹3,80,000/- from the complainant for transfer of the booth. He also contends that sum of ₹2 lacs is alleged to have been paid in the account while sum of ₹1,80,000/- is alleged to have been paid in cash. He further contends that the petitioner without prejudice to his rights and contentions is ready to pay a sum of ₹50,000/- to the complainant and on his release on bail, he will try to settle the matter with the complainant. The petitioner is in custody for over 5 ½ months and is the sole breadwinner of his family which comprises his wife and two infants.

Learned State counsel states that the challan has been filed and charges have been framed.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for over 5½ months and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petitioner shall deposit a draft for an amount of ₹50,000/- before the trial Court which shall be subject to the final outcome of the trial.

The parties shall also appear before the Mediation and Conciliation Centre of this Court on 21.11.2019.

The Mediator shall send his/her report to the trial Court.

(ANUPINDER SINGH GREWAL)
JUDGE

November 01, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No