

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

**CRM-M No.7046 of 2020 (O&M)
Date of decision:06.03.2020**

Sohan Lal

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.Ashu Kaushik, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Varun Mittal, Advocate for
Mr. C.S.Bakshi, Advocate for the complainant.

SUVIR SEHGAL J. (ORAL)

CRM-8574-2020

Prayer in the application is for preponement. Main case is fixed for 01.07.2020.

Notice of the application.

On the asking of the Court, Mr. V.G. Jauhar, Senior DAG, Punjab accepts notice on behalf of the State of Punjab and has no objection if the case is preponed.

Main case is taken on Board today itself.

CRM-8575-2020

Prayer is for placing on record Annexures P-4 and P-5.

Application is allowed.

Annexures P-4 and P-5 are taken on record.

Main case

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.0103, dated 14.12.2019 registered under Section 420 of IPC at Police Station Naya Gaon, District SAS Nagar.

Learned counsel for the petitioner has placed reliance upon the compromise deed dated 02.03.2020 (Annexure P-5) and submitted that the dispute between the parties has been settled. He has further referred to para (ii) of the compromise deed to submit that the amount in dispute was Rs.18 Lacs, out of which Rs.1 Lac was paid at the time of execution of the compromise and the balance amount of Rs. 17 Lacs has been paid by way of post dated cheques to the complainant. He has further referred to para (v) of the compromise deed to submit that after the cheques are encashed, petition for quashing of the FIR on the basis of compromise will also be filed.

On the other hand, learned State counsel upon instructions from SI Nishan Singh has submitted that petitioner is behind bars since 10.01.2020 and challan is yet to be presented.

Heard.

The matter in dispute has been settled by way of compromise deed dated 02.03.2020 (Annexure P-5) and the amount in dispute has been refunded. As the trial is yet to commence, no useful purpose will be served by keeping the petitioner behind bars any further. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his

furnishing bail/surety bonds to the satisfaction of trial Court/Illaqa Magistrate.

06.03.2020

pooja saini

**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No