

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

**CRM-M-11977-2020
Decided on: 05.06.2020**

Kaushik Bose

... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kanwaljit Singh Sr. Advocate with
Mr. S.S. Sangwan, Advocate
for the petitioner.

Mr. Pardeep Chahar, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for grant of bail pending trial to the petitioner, in FIR No.610 dated 30.09.2019, under Sections 406, 420 and 506 of Indian Penal Code (for short 'IPC'), (Sections 467, 468, 471 and 120-B IPC added later on), registered at Police Station DLF, Gurugram, District Gurugram.

As per prosecution case, the FIR was lodged on the basis of a complaint made by Rohith Kallori with the allegations that he was enrolled with Education Consultancy named, Uniglobal Services Career Pvt. Ltd. to pursue his degree of Engineering, Germany University and petitioner was member of said consultancy and he offered guaranteed admission on a package of Rs.9.5 lacs, in addition to get a part time job in Germany. Consequently, complainant paid him Rs.64,900/- through IMPS, and thereafter another amount of Rs.2.5 lacs was also deposited, but he did not receive any letter from University regarding admission.

It is contended by learned senior counsel for the petitioner that the petitioner is in custody since 24.01.2020 and after investigation challan in the matter qua the petitioner has already been submitted.

Also contends that even the matter has been compromised between the parties and a reference is made to Annexure P-1 and on the basis thereof quashing petition No.CRM-M-49941-2019 which is pending before this Court on 21.07.2020.

The above factual position is duly acknowledged by learned State counsel. The trial is pending for 17.10.2020 and as such not likely to be concluded in near future.

No doubt, petitioner is facing other criminal cases, but since no public funds are involved in this case and the matter has been compromised between the parties, thus, without going into the legality and validity of the compromise referred above, this Court deems it appropriate to release the petitioner on bail pending trial in the FIR in question.

Consequently, the petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the CJM/ Duty Magistrate, concerned.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

(MAHABIR SINGH SINDHU)
JUDGE

05.06.2020

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No