

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

CRM-M-13666-2020(O&M)

Date of decision: 20.07.2020

Shailesh Kumar Pandey @ Shailesh Kumar Pandey

...Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Karan Vir Nanda, Advocate for the petitioner.

Mr. Amit Kumar Goyal, APP, UT Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 24 dated 21.01.2018 registered under Sections 406, 420, 120-B IPC and Sections 66(D) of IT Act, at Police Station West, Sector-11, Chandigarh.

Learned counsel for the petitioner has pointed out that a compromise has been effected between the petitioner and the complainant. The matter has been settled for a sum of Rs. 3,55,000/-, out of which an amount of Rs. 2,00,000/- has already been handed over to the complainant by way of demand draft dated 13.07.2020. Besides, a cheque dated 20.09.2020 of Rs. 1,55,000/- for the remaining amount has also been handed over to the complainant. The petitioner has been in custody since 06.03.2020.

Learned State counsel has not disputed the facts regarding the custody period of the petitioner and the compromise effected between the petitioner and the complainant. He has pointed out that only the amount of Rs. 2,00,000/- has been paid by way of the demand draft and regarding the remaining amount of Rs. 1,55,000/-, a post dated cheque (dated 20.09.2020) has been issued.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.03.2020. Admittedly, a compromise has been effected between the complainant and the petitioner. The trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars. The petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the aforesaid cheque of remaining amount for Rs. 1,55,000/- is not encashed.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

20.07.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No