

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19970-2020
Date of Decision: 07.08.2020

Krishan Kumar

... Petitioner

v/s

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Shalender Rana, Advocate for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Manoj Pundir, Advocate for the complainant.

(The case has been taken up through video conferencing on account of Covid-19 pandemic)

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No.88 dated 5.6.2020, under Sections 406, 420 IPC, 1860 and Section 24 of Immigration Act, 1983 (Section 370 of IPC added later on) registered at Police Station Nighdu, District Karnal.

Briefly, the FIR has been registered on the allegations that petitioner had extracted a sum of Rupees Twenty Lakhs from Lovepreet Singh-complainant by playing deception on the pretext of sending him abroad. It has been stated that a compromise has been effected between the parties and copy of the compromise has been placed on record.

Learned counsel for the petitioner further states that separate petition for quashing of FIR is likely to be instituted within a span of few days as at present there is restricted functioning of the Courts due to Covid-19 pandemic. Mr. Manoj Pundir, Advocate has put in appearance on behalf of the complainant and has stated that the matter has been amicably settled. As per

the instructions received by him, the complainant had received the money.

Learned State counsel has mainly stated that there are three other cases of similar nature registered against the petitioner. She has further expressed her inability to verify with regard to the compromise.

Faced with this situation, learned counsel for the petitioner has pointed out that in one case bearing FIR No.81 dated 28.5.2020, under Sections 406, 420, 370, 506 IPC and 24 of Immigration Act, Police Station Nighdu, the petitioner has been granted bail by the Co-ordinate Bench of this Court today itself. It has also been stated that compromise in other two cases bearing FIR No.79 dated 28.5.2020 under Sections 406, 420, 370 IPC and 24 of Immigration Act, Police Station Nighdu and FIR No.83 dated 28.5.2020, under Sections 406, 420, 370 IPC and 24 of Immigration Act, Police Station Nighdu has also been effected between the parties.

It may be mentioned here that the matter has been amicably settled between the parties which fact has been admitted by learned counsel for the complainant. Accordingly, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

07.08.2020

Janki

(VIVEK PURI)
JUDGE

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