

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

**CRM-M-21849 of 2020 (O&M)
DATE OF DECISION : 06.08.2020**

Malkiat Singh

...Petitioner

versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Parampreet Singh Paul, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

Mr. Raj Sumer Singh, Advocate,
for respondent No.2.

(Presence marked through video conferencing).

ARUN MONGA, J. (ORAL)

This is a petition for grant of anticipatory bail in FIR No.561 dated 30.12.2019 under Sections 406/420/120-B IPC registered at Police Station Baldev Nagar, District Ambala, on the basis of compromise contained at Annexure P-3.

2. As per allegations in the FIR, petitioner along with others cheated the complainant and took Rs.18 lakhs on the pretext of sending his nephew abroad.

3. Learned counsel for the petitioner contends that there was no direct dealing with the complainant. The present FIR is counter blast to the earlier FIR, which was got registered by the petitioner against the complainant Hardeep Kumar. He further contends that now compromise has been effected between the parties and as such, no purpose would be served by sending the petitioner behind the bars.

4. Learned counsel for the petitioner further argues that petitioner is ready and willing to join the investigation. He also contends that co-accused of the petitioner has already been granted anticipatory bail by the trial Court and he seeks parity with him.

5. Notice of motion.

6. Mr. Vikrant Pamboo, DAG, Haryana and Mr. Raj Sumer Singh, Advocate, who have joined proceedings on service of advance copies of the petition, appear and accept notice on behalf of respondent No.1-State of Haryana and respondent No.2/complainant respectively.

7. Learned counsel for respondent No.2/complainant does not controvert the factum of compromise.

8. Having heard learned counsel for the petitioner as well as learned State counsel and learned counsel for the complainant, this Court is of the considered view that no useful purpose would be served by sending the petitioner behind the bars as compromise has already been effected between the parties. The trial/proceedings are not likely to commence any time soon, due to current pandemic scenario caused by COVID-19.

9. In view of the above, without commenting on the merits of the case, the instant petition is allowed. Petitioner is directed to join the investigation, as and when called for and in the event of his arrest, he shall be admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of Investigating/ Arresting Officer. The petitioner shall also abide the conditions as envisaged under Section 438 (2) Cr.P.C.

(ARUN MONGA)
JUDGE

AUGUST 06, 2020
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Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No