

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

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CRM-M No.5630-2021

Date of decision:15.03.2021

Rajesh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ramesh Sindhar, Advocate for
Mr. Kamaldeep Kumar, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Pardeep Singh Rana, Advocate for the complainant.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

This is the second petition filed under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.151, dated 11.06.2020 registered under Sections 406, 420, 506, 34 of the Indian Penal Code, 1860, at Police Station Ishrana, District Panipat.

First petition (CRM-M-28148-2020) for grant of regular bail was withdrawn after arguments on 13.01.2021.

Counsel for the petitioner submits that the FIR was registered on the basis of a complaint given by Karamveer to the effect that an amount of Rs. 24.45 Lacs has been paid to the accused-petitioner for

sending his son to USA. Counsel submits that after the dismissal of the first petition, the parties have entered into a compromise and the complainant has executed an affidavit dated 28.01.2021, Annexure P-3 to the effect that he has received back the amount and that he does not want to take any action against the petitioner. Still further, he submits that a petition CRM-M-8154-2021) has been filed for quashing of the FIR, in which notice of motion has been issued by this Court on 08.03.2021.

Per contra, counsel appearing for the State, upon instructions from ASI Kanya Lal, has opposed the petition and submitted that the petitioner has been indulging in similar activity with another person, namely, Satbir through he has not submitted any complaint. State counsel is assisted by counsel for the complainant, who has admitted the factum of compromise as well as the affidavit, Annexure P-3.

I have considered the rival submissions of the parties.

Keeping in view the above facts and circumstances, period of incarceration of the petitioner, nature of allegations, gravity of offences and the fact that the trial is likely to take time to conclude and the fact that the dispute has been settled between the parties, no purpose would be served by keeping the petitioner behind the 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 bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not

be construed to be a reflection of opinion on the merits of the case.

15.03.2021

pooja saini

(SUVIR SEHGAL)

JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No