

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(213)

CRM-M-43042-2021

Date of decision: - 29.10.2021

Vishesh Aggarwal

....Petitioner

Versus

Union Territory, Chandigarh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Guninder Singh Brar, Advocate  
for the petitioner.

Mr. Viranjeet Singh Mahal, Addl. PP, Chandigarh  
(keeping in view of the advance copy given).

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

Present is the second petition filed under Section 439 Cr.P.C.  
for the grant of regular bail to the petitioner in respect of FIR No.116  
dated 28.06.2021, registered under Sections 420 and 120-B IPC, at Police  
Station Mani Majra, District Chandigarh.

Learned counsel for the petitioner argues that the petitioner is  
ready to compromise the dispute with the complainant and is also ready to  
discharge his alleged liability, whichever comes to his share, even though  
he is disputing the allegations alleged in the FIR. Learned counsel for the  
petitioner further argues that according to the petitioner, a sum of Rs.7  
lakhs is being attributed to him in the allegations, which he is ready to

deposit and therefore, he be extended the benefit of regular bail.

Custody certificate of the petitioner filed by learned State counsel today in the Court and the same is taken on record.

Learned counsel appearing on behalf of U.T., Chandigarh, on the basis of written instructions received by him, submits that a sum of Rs.8.66 lakhs is being attributed to the petitioner in the allegations and not Rs.7 lakhs, as being mentioned by learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner is ready to deposit a draft of Rs.8.66 lakhs in the name of the complainant and keeping in view the said offer, the petitioner, who will be discharging his alleged liability in view of the allegations in the FIR, be allowed the concession of regular bail.

Learned counsel for the U.T., Chandigarh informs this Court that the complainant is arrested in a case relating to the NDPS ACT and is presently lodged in the District Jail at Sri Muktsar Sahib.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, irrespective of the allegations, the petitioner on his own has undertaken before this Court that he is ready to discharge his liability and submits that the petitioner will deposit a draft of Rs.8.66 lakhs in the favour of the complainant before the trial Court for the onward transmission to the complainant, no useful purpose will be served by keeping him behind the bars any further during the trial as the allegations in the FIR are yet to be proved.

In view of the above and without commenting upon the

merits of the case, it is directed that the petitioner be released on regular bail, if not required to be detained in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial or the witnesses in any manner and in case of default of the above undertaking, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

The learned trial Court will ensure that the petitioner complies with the undertaking as recorded herein, before his bail bonds are accepted.

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

**October 29, 2021**  
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| Whether reasoned/speaking? | Yes |
| Whether reportable?        | No  |