

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM No. M-6094-2022 (O&M)

Date of Decision : 22.04.2022

Harindera Kumar Jain

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mandeep Singh Sachdev, Advocate for the petitioner.

Mr.Navdeep Chhabra, DAG, Punjab.

Mr. Ashok Kumar Khanna, Advocate,
for the complainant.

Harsimran Singh Sethi, J. (Oral)

CRM-4972-2022

Application is allowed as prayed for.

CRM No. M-6094-2022

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 62 dated 13.05.2021, under Sections 419, 420, 465, 467, 468, 471/120-B of IPC, registered at Police Navi Baradari Jalandhar, District Jalandhar.

Learned counsel for the petitioner argues that no doubt the allegations alleged in the FIR relates to forgery and the petitioner is behind bars since 19.05.2021, and the investigation is already over and the challan has also been presented.

The learned counsel for the petitioner further submits that the parties have also compromised their dispute, keeping in view the compromise dated 28.03.2022, which is to the entire satisfaction of the complainant as well, therefore, as there is no apprehension that the petitioner will influence the trial or witnesses in any manner, the petitioner may kindly be extended the concession of regular bail especially when the trial is likely to take some time before the same concludes.

The learned State counsel submits that though, unofficially, a copy of the compromise has been submitted to the Investigating Agency, but the same cannot be taken into consideration keeping in view the allegations alleged against the petitioner in the FIR. The learned counsel submits that though the investigation is over and the challan has also been submitted but the charges are yet to be framed against the petitioner and therefore, the prayer of the petitioner for the grant of bail may kindly be declined at this stage.

The learned counsel for the complainant confirms the execution of the compromise between the parties on 28.03.2022 and submits that the compromise so effected is to the satisfaction of the complainant and she has no objection, if the petitioner is extended concession of regular bail.

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

Keeping in view the fact that the allegations alleged against the petitioner relate to a property dispute and the parties have already compromised their dispute and the said compromise has been confirmed by the complainant to the effect that the same is to her satisfaction and the bail

petition is not opposed by the complainant, coupled with the fact that the

investigation is already over and the challan has been presented and the trial is likely to take some time before it concludes, no useful purpose will be solved by keeping the petitioner behind the bars during the entire period of trial.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

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.

22.04.2022

Satyawan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*