

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

(Sr. No. 235)

CRM-M No. 7890 of 2022

Date of decision : 02.03.2022

Varun Bhambri

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Namit Khurana, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Neeraj Madaan, Advocate for the complainant.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.196 dated 24.09.2021 registered under Sections 420, 406, 467, 468, 471 and 120-B IPC at Police Station Farakpur, district Yamuna Nagar.

Briefly stated, the case of the prosecution is that the petitioner introduced the complainant with co-accused Madan who induced the complainant to part Rs.4,85,000/- on the pretext of getting the complainant appointed as a clerk in a government department.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; there is no other criminal case that the petitioner faces; investigation in the case is complete and, therefore, he

is not in a position to influence the witnesses; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the main allegations are against co-accused Madan; the dispute which is the subject matter of the FIR in question stands compromised between the petitioner and the complainant and that the petitioner's trial, which is yet to commence, will take a long time to conclude.

Learned counsel appearing for the complainant acknowledges the fact of compromise between the petitioner and the complainant.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has indulged in a case of fraud and if he is released on bail he is likely to commit similar offences.

After considering the afore submissions made on behalf of the petitioner and in particular the fact that in a case of alleged fraud the matter between the petitioner and the complainant stands compromised, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Yamuna Nagar, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

02.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No