

CRM-M-22780-2022

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

CRM-M-22780-2022

Date of decision:29.10.2022

Hare Ram

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Saini, Advocate,
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

Mr. Himanshu Chhabra, Advocate for
Mr. Manjit Saini, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.255 dated 11.11.2021, registered at Police Station Radaur, District Yamuna Nagar, under Sections 420 and 406 IPC.

Short reply dated 06.10.2022, by way of affidavit of the Deputy Superintendent of Police, Radaur, Yamuna Nagar, filed in the Registry, is taken on record.

As per the case of the prosecution, the complainant received a health insurance policy wherein she had got deposited an amount of Rs.5,76,000/-; that since the account pertaining to the complainant was a zero balance account, she had been directed to get opened another account;

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that she had got opened another account and thereafter, the accused had asked the complainant to deposit Rs.2 lakh more in account No.4036988421, which had been credited in the account of accused-Suraj, and that the petitioner used to get deposited money in his account. As such, the petitioner had duped the complainant of Rs.9,10,044/-.

Learned counsel for the petitioner contends that a compromise has been effected between the parties; that the family members of the petitioner had paid a sum of Rs.3.5 lakh in cash to the complainant and two post dated cheques, amounting to Rs.2.5 lakh each, have also been handed over to the latter. The petitioner has been in custody since 04.03.2022.

The complainant, who is present in the Court alongwith her counsel, does not dispute the aforesaid submissions made by the learned counsel for the petitioner.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that charges have been framed under Sections 420 and 406 IPC; that out of 19 prosecution witnesses, only 02 witnesses have been examined so far and the complainant is yet to be examined.

I have heard the learned counsel for the parties.

The matter has been compromised between the parties. The petitioner has already paid a substantial amount to the complainant, which is not disputed by the latter present in the Court. The petitioner has been in custody since 04.03.2022. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

29.10.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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