

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.25586 of 2022 (O&M)
Date of decision : 07.06.2022

Kuldeep Singh

..... Petitioner

versus

U.T. Chandigarh & another

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Sandeep Singh Majithia, Advocate and
Mr. Jiteshwar S.Malhi, Advocate
for the petitioner.

Mr. Charanjit Bakshi, Addl. P.P., UT
for respondent No.1.

Mr. Amit Jaiswal, Advocate
for respondent No.2.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.0055 dated 10.03.2022 registered under Sections 406, 420, 120-B IPC at Police Station Central Sector 17, Chandigarh.

Counsel for the petitioner submits that inadvertently Section 24 of the Immigration Act, 1983 could not be added to the head note as well as the prayer clause made in the petition and he orally prays for the addition thereof.

Prayer is allowed. Counsel for the petitioner submits that he will file the amended head note as well as the prayer clause today itself in Court during the course of the day. On his doing so, the same be taken on record.

Custody certificate dated 06.06.2022 has been filed in Court by way of affidavit of Amandeep Singh, CPS, Addl. Supdt., Model Jail, Chandigarh, the same is taken on record. As per the custody certificate, the petitioner has undergone actual custody of 2 months and 23 days as on 06.06.2022.

Counsel for the petitioner would submit that the petitioner has been booked for offences punishable under Sections 406, 420, 120-B IPC and Section 24 of the Immigration Act, 1983 which are compoundable. He relies upon the compromise having been effected between the petitioner and the complainant dated 31.05.2022. Counsel for the petitioner submits that out of total amount of Rs.20,50,000/-, Rs.6,06,000/- was paid at the time of the compromise and Rs.7,00,000/- has been paid today. Copy of demand draft in favour of the complainant dated 06.06.2022 has been placed on record.

Mr. Amit Jaiswal, Advocate for respondent No.2 admits the fact of having receipt of the said demand draft.

Learned Addl. P.P., U.T., Chandigarh does not oppose the prayer made by the petitioner. However, he submits that the petitioner should be granted concession of bail only subject to the condition that he shall abide by the compromise in its letter and spirit.

Keeping in view the fact that the parties have already compromised the matter and that petitioner undertakes to abide by the same in its letter and spirit, the petitioner is granted bail.

The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Illaqua Magistrate/Trial Court/Duty Magistrate, concerned.

Needless to say nothing recorded herein shall be construed as
an expression of an opinion on the merits of the case.

Petition stands allowed.

(PANKAJ JAIN)
JUDGE

07.06.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No