

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

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CRM-M-28390-2022 (O&M)

Date of Decision: 12.07.2022

RAVI PRAKASH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner

Mr. Surender Singh, AAG, Haryana.

Mr. Atul Yadav, Advocate
for the complainant
along with complainant in person.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.328 dated 01.12.2021, registered under Sections 408, 420, 467, 468, 471 IPC at Police Station Section 17/18, District Gurugram.

Learned counsel for the petitioner submits that the petitioner was the employee of the complainant-Company and was working as Manager; that the petitioner had resigned from the Company in the month of February, 2021 and that the petitioner has falsely been implicated in the present case. He further submits that during the pendency of the present petition, a compromise for a sum of Rs.18,70,000/- has been effected between the complainant and the wife of the petitioner and that

the petitioner is paying a sum of Rs.11,00,000/- by way of two demand drafts amounting to Rs.6,00,000/- and Rs.5,00,000/- both dated 10.06.2022. Still further, it is submitted that the remaining amount of Rs.7,70,000/- will be paid by the petitioner at the time of filing of quashing petition and that the petitioner has been in custody since 24.05.2022.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that he has no instructions regarding the compromise effected between the parties.

Learned counsel for the complainant does not dispute the factum of compromise effected between the parties.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 24.05.2022. Compromise has been effected between the parties. Two demand drafts have been handed over to the learned counsel for the complainant in Court today. Balance amount will be paid at the time of filing of the quashing petition. Prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

It is made clear that the parties shall remain bound by the terms and conditions of the compromise effected between them.

12.07.2022

Aman Jain

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

:

:

Yes/No

Yes/No