

(107) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-29599-2022 in
CRM-M-31007-2022
Date of Decision: 23.08.2022

Ajay Deniel @ Ajay Daniel Anwar

... Petitioner

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Baljeet Beniwal, Advocate
for the petitioner.

Ms. Dimple Jain, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

CRM-29599-2022

This is an application filed under Section 482 Cr.P.C. for preponing the date of hearing in the case i.e. fixed for 23.11.2022.

Notice in the application.

Ms. Dimple Jain, Asstt. A.G., Haryana accepts notice on behalf of the respondent-State.

For the reasons mentioned in the application, the same is allowed and the date of hearing is advanced from 23.11.2022 to today and the matter is taken up on board today.

CRM-M-31007-2022

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.615 dated 27.08.2020 registered under Sections 420, 406, 370 and 384 IPC, 1860 (Sections 370 and

384 IPC added later on) and Section 24 Immigration Act, 1983 with Police Station Sadar, Karnal District Karnal.

2. The allegation in the FIR are that the complainant paid a sum of Rs.26 lakhs to the petitioner and his co-accused to send his son Gurtoj Singh abroad. Though, son of the petitioner was sent abroad, yet he was deported from United States of America (USA) on 26.02.2020. When the complainant demanded back Rs.26 lakhs, the accused/petitioner threatened him and refused to return the said amount.

3. At the very outset, the learned counsel for the petitioner submits that a compromise has been effected between the parties, as would deciphered from Annexure P-1.

4. On the other hand, the learned State counsel opposes the prayer for grant of regular bail to the petitioner.

5. The learned counsel for the complainant does not dispute the factum of compromise (Annexure P-1) which has been arrived at between the parties and has stated that he has no objection, if bail is granted to the petitioner. He further submits that the entire amount stands repaid to the complainant.

6. I have heard the learned counsel for both the parties at length.

7. Admittedly, the petitioner has been in custody since 15.06.2022. A compromise (Annexure P-1) has been effected between the parties. Prosecution witnesses are yet to be examined. Therefore, the trial of the case is not likely to conclude any time soon. Therefore, the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Ajay Deniel @ Ajay Daniel Anwar S/o

Exmanuel Anwar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

23.08.2022
JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No