

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-40280-2022 (O&M)

Date of Decision: 21.12.2022

Mandeep

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rajnish Gupta, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Sachin, Advocate,
for the complainant.

KARAMJIT SINGH, J.

CRM-49151-2022

Notice of the application.

Mr. Naveen Kumar Sheoran, DAG, Haryana. accepts notice on
behalf of the State and pleads no objection if the same is allowed.

Accordingly, the application is allowed and the main case is
taken on board today itself.

Main case

Prayer in the present 2nd petition under Section 439 of Code of
Criminal Procedure is for grant of regular bail to the petitioner in case FIR
No.243 dated 18.5.2022 registered for the offences punishable under
Sections 406, 420, 467, 468, 471, 120-B IPC and Section 24 of
Immigratoin Act (Section 12D of Passport Act added later on) at Police
Station Ambala City, District Ambala.

Counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and is in custody since 18.5.2022 and now compromise has been effected between the parties vide Annexure A-1. So, prayer is made for grant of regular bail to the petitioner.

Counsel appearing on behalf of the complainant has admitted the fact that now the matter has been settled between the parties and in this regard, both the complainants have given their joint affidavit Annexure A-1 and he further pleaded no objection if the present petition is allowed.

State counsel on instructions from ASI Shambhu Lal submits that the petitioner and other accused persons took amount of ₹ 2,25,000/- from the complainant and his brother for providing them Visa to go to Singapore but thereafter, they failed to do so and also refused to return the aforesaid amount. State counsel further submits that the police has presented the challan and charges are also framed and now the case is fixed for prosecution evidence. He further submits that it appears that now both the parties have entered into a compromise.

I have considered the submissions made by the counsel for the parties.

Admittedly, the petitioner is lodged in custody since 18.5.2022 and after completion of investigation, challan is presented and charges are framed against all the accused including the petitioner and all the offences are triable by the Court of Judicial Magistrate, 1st Class. As has been admitted by the counsel for the complainant, it appears that now the parties have settled their dispute and in this regard, both the complainants have given their joint affidavit Annexure A-1.

In view of above, no purpose is going to be served by prolonging the judicial custody of the petitioner.

Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

December 21, 2022

Paritosh Kumar

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