

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

CRM-M-47222-2021 (O&M)

Date of decision: 21.02.2022

Ashish Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Yashveer Kharb, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. Vikas Guliya, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 475 dated 05.08.2021, registered under Sections 406, 408, 420 and 201 IPC, at Police Station Panipat City, District Panipat.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner has nothing to do with the same; that no money was ever misappropriated by the petitioner; that the matter was compromised between the parties on 14.12.2021; that on the basis of the said compromise, a petition for quashing of the FIR in question has already been filed wherein the parties have already been relegated before the trial Court/Illaq Magistrate for recording of their

respective statements qua the said compromise and that the petitioner has been in custody since 05.08.2021.

Mr. Vikas Gulia, Advocate, appears and filed power of attorney on behalf of the complainant, the same is taken on record. He does not dispute the factum of compromise and the factum of filing of the quashing petition.

Status report by way of affidavit dated 27.12.2021 of the Deputy Superintendent of Police, City Panipat, District Panipat, already filed in the Registry, is taken on record.

Learned State counsel, vehemently opposes the prayer for bail. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05.08.2021. The matter has already been compromised between the parties and the petition for quashing of the FIR in question has also been filed. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

21.02.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No