

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-52730-2022 (O & M)****Date of decision: 21.11.2022**

Jasbir Singh

.... Petitioner

V/s

State of U.T., and anr.

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. P.S. Ahluwalia, Advocate,
for the petitioner.

Mr. Shashank Bhandari, Addl.P.P., for U.T., Chandigarh-
respondent No.1.

Mr. Munish Kumar, Advocate,
for the complainant.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in case FIR No.84 dated 08.03.2014 (Annexure P-1) registered under Sections 420, 467, 468, and 471 IPC at Police Station Central Sector 17, District Chandigarh.

2. The brief facts of the case are that one Navdeep Sharma lodged a complaint against the petitioner stating that he was in the business of readymade garments. The petitioner represented to him to be a land developer and projected that there was big scope in land developing and sale and purchase of land. He induced him (complainant) to enter into a partnership deed dated 11.02.2011. As per the terms and conditions of the partnership, Rs.25 lacs were to be invested by each party. He transferred a

show the agreement to sell off the land which was to be purchased from the said proceeds. In fact, he (petitioner) misappropriated the said amount. Two cheques handed over to him (complainant), were also dishonoured. Ultimately, the present FIR came to be registered against the petitioner.

3. The learned counsel for the petitioner, at the very outset, submits that a compromise has been effected between the parties and in terms of the said compromise, CRM-M-53388-2022 seeking quashing of the FIR No.84 dated 08.03.2014 under Sections 420, 467, 468, 471 IPC registered at Police Station Central 17, Chandigarh, has been filed before this Court in which this Court has directed the recording of the statements of the respective parties. Thus, he contends that the petitioner be granted the concession of bail.

4. Mr. Munish Kumar, Advocate, appearing on behalf of the complainant, admits the factum of compromise having been effected between the parties and states that he has no objection, if the petitioner is granted the concession of bail.

5. The learned counsel for the State, on the other hand, contends that the petitioner was declared a proclaimed offender on 18.10.2022 and was arrested on 01.11.2022. He, thus, contends that the conduct of the petitioner does not entitle him to the grant of bail. He, however, does not deny the factum of a compromise having been effected between the parties.

6. I have heard the learned counsel for the parties.

7. Admittedly, the parties have entered into a compromise, pursuant to which, CRM-M-53388-2022 already stands filed seeking quashing of the FIR (Annexure P-1). Therefore, the further incarceration of the petitioner is not required.

8. In view of the above, but without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Jasbir Singh, is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

(JASJIT SINGH BEDI)
JUDGE

November 21, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No