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

CRM-M-705-2023
Decided on : 13.01.2023

Ram Lal Chaudhary

..... Petitioner

Versus

State of UT, Chandigarh and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. PP, UT, Chandigarh.

Mr. Rohit Sharma, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

Present petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.7 dated 10.01.2022 under Sections 420, 120-B IPC registered at Police Station South Sector 34, Chandigarh.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand on the allegations that he procured Rs.1.10 crores from the complainant for getting an order of acquittal for his son in a criminal case registered in the year 2014. Learned counsel further submits that neither any such demand was in fact made nor any such assurance given as alleged in the FIR in question and it was only on account of some misunderstanding that the complainant had lodged the

FIR in question. Learned counsel still further submits that after registration of the FIR, the petitioner and the complainant ironed out their differences and now there remains no grievance of the complainant against the petitioner. It has also been submitted that all the offences for which petitioner has been challaned are triable by Magistrate. Learned counsel submits that the petitioner has been in custody since 24.04.2022, investigation is complete as challan stands presented and hence, further incarceration of the petitioner, in the circumstances, would serve no useful purpose. In support of his submissions, learned counsel has drawn the attention of this Court to Annexure P-1, which is a copy of compromise effected between the parties.

Learned counsel for the complainant does not dispute the submissions made by counsel for the petitioner that it was on account of some misunderstanding between the petitioner and the complainant that the FIR in question had been got registered, however, subsequently, the misunderstanding had been removed.

Per contra learned State counsel while opposing the prayer and submissions made by counsel opposite on instructions submits that no doubt, offences ques which challan has been presented against the petitioner are triable by the Magistrate, however, there are serious allegations levelled against the petitioner in the FIR coupled with the fact that the petitioner is involved in a couple of other criminal cases though he has since been extended the concession of bail in all those cases.

Heard learned counsel for the parties and perused the relevant

material on record.

In the facts and circumstances as enumerated hereinabove coupled with the fact that the petitioner has been in custody since 24.04.2022 and till date only challan stands presented in addition to the fact that the offences for which petitioner has been challaned, are triable by Magistrate, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

13.01.2023
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(MANJARI NEHRU KAUL)
JUDGE

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