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2023:PHHC:075364

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2770-2023 (O&M)
DECIDED ON: 24th MAY, 2023

RAM KISUN MANDAL

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Lalit Sharma, Advocate for
Mr. Deepkaran Dalal, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

CRM-16140-2023

Prayer made in the present application is for impleading the complainant as Respondent No.2.

Application is allowed, as prayed for.

Complainant-Pawan S/o Dharambir is impleaded as respondent No.2.

Amended memo of parties is taken on record.

CRM-M-2770-2023

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in case FIR No. 436, dated 30.12.2021, under Sections 406, 419 and 420 IPC, registered at Police Station IMT, Rohtak, District Rohtak.

2. Mr. Amandeep Singh, Advocate has put in appearance on behalf of

respondent No.2-Complainant and filed his power of attorney, which is taken on record. He submits that he has no objection in case the petitioner is released on regular bail since the parties have entered into compromise and no grouse is left between them.

3. Custody certificate filed by learned State counsel is taken on record. According to which the petitioner has suffered incarceration for a period of 8 months and 7 days as of now. A perusal of certificate further reveals that the petitioner is also involved in another case bearing FIR No. 14 of 2021, under Sections 419, 420, 467, 468, 471 and 120-B IPC and Section 66-C of IT Act, registered at Police Station Cyber Crime Thana Azamgarh UP but is on bail.

4. Considering the fact that the parties have resolved the dispute by way of amicable settlement added with the fact that the conclusion of trial shall take sufficient long time, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period. The petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

5. The present petition is allowed in view of afore-said terms.

6. However, it is made clear that any observation made hereinabove, shall not be construed as an expression of opinion on the merits of the case.

24th MAY, 2023
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(SANDEEP MOUDGIL)
JUDGE

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