

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

228

CRM-M-4257-2023

Date of Decision: 02.02.2023

Raj Kumar

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Partap Singh, Advocate for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Mr. Vikas, Advocate for respondent No. 2.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 01.02.2023, filed by learned counsel for the State is taken on record.

Vakalatnama filed on behalf of respondent No. 2-complainant is also taken on record.

Service complete.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 257 dated 01.11.2022 registered under Sections 406, 419, 420, 467, 468, 471, 506, 387 and 120-B IPC at Police Station Shahzadpur, District Ambala.

As per prosecution story, respondent No. 2-complainant had filed a complaint to the effect that the petitioner along with his

co-accused, namely, Deepak Kumar and Amit Sidhan, after hatching a criminal conspiracy prepared forged and fabricated documents to get truck No. HR-63-B-2428, on rent. For the said purpose co-accused-Deepak Kumar, had also impersonated himself as Ranjit Singh-complainant. After getting the truck on rent, they did not pay the rent and also counterfeited a forged number plate of registration No. HR-73-2850. Thereafter, despite a panchayat settlement, they did not return the vehicle and demanded Rs.5,00,000/- and also threatened to kill the complainant.

Learned counsel *inter alia*, contends, that petitioner has falsely been implicated in the instant case. He further contends that the matter has now been compromised between the parties vide compromise deed dated 11.01.2023 (Annexure P-1). Respondent No. 2-complainant had also executed an affidavit dated 11.01.2023 (Annexure P-2). The petitioner and his co-accused have already made the payment of rent to the complainant. The petitioner is in custody since 08.12.2022. He is not involved in any other case. Nothing has to be recovered from him. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

On the other hand, learned State counsel has opposed the present petition. However, learned counsel for respondent No. 2-complainant has fairly conceded the fact that the matter has been compromised between the parties and he has no objection, in case, the present petition is allowed.

Keeping in view the facts and circumstances of the case and

the fact that the matter has been compromised between the parties, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Raj Kumar, is ordered to be released on regular bail on furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

February 02, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No