

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-4550-2022

Date of Decision:-20.01.2023

Surjeet Singh @ Jeet Singh.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Vikas Bishnoi, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Lakhwinder Singh Dandiwal, Advocate for the
Complainant.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petitions under Section 439 Cr.PC is for the grant of regular bail in case FIR No.168 dated 27.07.2021 under Sections 420, 467, 468, 471, 120-B, 171 IPC registered at Police Station Sadar Raita, District Fatehabad.

2. The present FIR came to be registered on the complaint of Jagsir Singh son of Harbans Singh who stated that he was a resident of village Baliala and was known to the accused Gurmangat Singh, Pardeep Kumar @ Babbu son of Dalbir Singh, Captain Mangal Singh, Jitender Singh, Jeet Singh (petitioner) and Ritu. Since he was desirous of getting a job in the military, Gurmangat Singh got him (complainant) introduced with Captain Mangal Singh. By allurement Gurmangat Singh got transferred Rs.2 lacs from the account of his (complainant's) brother to his other account (Gurmangat Singh's account). A sum of Rs.2 lacs were given to Pardeep Kumar brother of Gurmangat Singh, Captain Mangal Singh and Jagga but neither the complainant nor his nephew got selected. Thereafter

the accused gave a false computer generated gate pass and joining letter and were taken to Agra. They were kept there for 10 days and sent back. A sum of Rs.3 lacs was thereafter taken from him (complainant) and his nephew Vicky. Action was sought for cheating him of Rs.4 lacs on the pretext of getting him recruited.

3. When this petition came up for hearing on 08.02.2022 the following order was passed:-

“ Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.168, dated 27.07.2021, having been registered at Police Station Sadar Ratia, District Fatehabad, alleging therein the commission of offences punishable under Sections 171, 420, 467, 468, 471 and 120-B of the IPC.

Learned counsel for the petitioner submits that in fact the petitioner himself was duped of Rs.15.00 lacs by the prime accused, i.e. Gurmangat Singh, on the pretext of getting him a job in the Indian Army.

Though that fact has been noticed by the learned Sessions Judge, Fatehabad, rejecting a similar petition filed before that court, nothing specific is stated as to how the petitioner was found to be involved in the actual commission of the offence alongwith the said Gurmangat Singh, or otherwise.

Consequently, adjourned to 28.04.2022, with a gazetted officer directed to file a detailed reply to the petition.

In the meanwhile, in the aforesaid circumstances, without making any comment on the actual merits of the case at this stage, the petitioner is ordered to be admitted to interim bail to the satisfaction of the trial court.

The matter was adjourned from time to time and has come up for adjudication today.

4. The Counsel for the petitioner contends that a compromise has been effected between the parties. He had been in custody since 29.11.2021 and had been granted the concession of interim bail vide aforementioned order dated 08.02.2022. As such as the compromise is effected between the parties, the further incarceration of the petitioner is not required.

5. The Counsel for the complainant has accepted the fact that the a compromise has been effected between the parties. He has no objection if the petitioner be granted the concession of bail.

6. The Counsel for the State on the other hand admits the fact that the petitioner has been in custody since 29.11.2021 and had been been

granted the concession of interim bail vide order dated 08.02.2022. He also admits to the factum of compromise having been effected between the parties.

7. I have heard learned Counsel for the parties.

8. Admittedly, the petitioner is in custody since 29.11.2021. He was therefore released on interim bail by this Court vide order dated 08.02.2022. A compromise has been effected between the complainant on the one hand and the accused on the other hand. The case is triable by the court of a Magistrate. As such the further incarceration of the petitioner is not required.

7. Thus, without commenting on the merits of the case, the interim order dated 08.02.2022 is made absolute. The petitioner-**Surjeet Singh @ Jeet Singh** son of Sh. Shamsher Singh shall furnish fresh bail bonds to the satisfaction of the CJM/Duty Magistrate, concerned.

Petition stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 20, 2023

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>