

CRM-M-14447-2023

2023:PHHC:044968
-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14447-2023
Date of Decision: 27.03.2023

RAJENDER PARSAD @ RAJU & OTHERS

... Petitioners

Versus

STATE OF U.T., CHANDIGARH & ANOTHER

...Respondents

CRM-M-13769-2023

PANKAJ KUMAR

... Petitioner

Versus

STATE OF U.T., CHANDIGARH & ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. D.K. Tuteja, Advocate
for the petitioner in CRM-M-14447-2023.

Mr. Vaibhav jain, Advocate
for the petitioner in CRM-M-13769-2023.

Mr. Anil Kumar Lamdharia, APP, U.T., Chandigarh.

Mr. Vikas Chahrath, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J.

CRM-14263-2023 in CRM-M-14447-2023

The present application has been filed by the applicant-petitioner
for placing on record a copy of the order dated 17.03.2023 as Annexure P-9.

For the reasons mentioned in the application, the same is
allowed and a copy of the order dated 17.03.2023 as Annexure P-9 is taken
on record.

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CRM-M-14447-2023 and CRM-M-13769-2023

This order shall dispose of two petitions bearing No.CRM-M-14447-2023 titled as Rajender Parsad @ Raju & others Versus State of U.T., Chandigarh & another and CRM-M-13769-2023 titled as Pankaj Kumar Versus State of U.T., Chandigarh & another as the same are arising out of the same FIR.

2. The prayer in the petitions under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.0072 dated 31.12.2022 registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Cyber Crime, District Chandigarh.

3. The brief facts of the case are that an FIR came to be registered at the instance of Paul Merchants Finance Pvt. Ltd. with the allegations that some persons had hacked into their Paul Pay App. and had siphoned off Rs.1.95 crores.

4. The learned counsel for the petitioners contend that pursuant to the registration of the FIR, a compromise has been effected between the parties and a quashing petition based on the compromise has also been filed. As the petitioners were in custody since 10.01.2023 and the challan had also been filed, they could be granted the concession of regular bail.

5. On the other hand, the learned State counsel does not deny the factum of a compromise having been arrived at between the parties and a quashing petition pending for quashing the FIR on the basis of a compromise.

6. The learned counsel for the complainant has also admitted the factum of a compromise having been arrived at between the parties and states

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that he has no objection if the petitioners are granted the concession as prayed for.

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

8. Admittedly, the petitioners are in custody since 10.01.2023. The report under Section 173(2) Cr.P.C. stands filed. They are first-time offenders with no other case registered against them. As a compromise has been arrived at between the parties, no useful purpose would be served by keeping the petitioners further incarcerated.

9. Thus without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

27.03.2023

JITESH

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