

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16518-2023 (O&M)
Date of Decision:-31.05.2023

SAGAR VAISH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Tejinder Pal Singh, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

CRM-25121-2023

Allowed as prayed for and compromise deed dated 20.05.2023 is
ordered to be taken on record as Annexure P-7, subject to all just
exceptions.

Main Case

1. The petitioner has approached this Court seeking grant of regular bail
in a case having FIR No.620 dated 19.11.2022 registered under

Sections 120-B, 420, 467, 468, 471, 408 IPC at Police Station Ambala City, District Ambala.

2. The allegations in nut-shell are that the petitioner was working as employee in the shop of complainant-Pawan Kumar, who is cloth merchant and is running his business under the name and style of M/s R.P. Textiles, Dev Samaj College Road, Ambala City. There are also allegations that the petitioner was working as Accountant with the complainant and embezzled huge amount belonging to the complainant.
3. The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and is in custody since 3.2.2023 and now the parties have entered into compromise and the compromise deed is Annexure P-7, which is bearing signatures of the complainant as well as that of father of the petitioner. So prayer is made that the petitioner be released on bail.
4. The instant petition is resisted by the State counsel, who on instructions from ASI Rajinder submits that the petitioner embezzled huge amount belonging to the complainant. However, the State counsel has not disputed the fact that petitioner was arrested on 3.2.2023 and after completion of investigation, challan has been presented but trial is yet to commence.
5. Mr. Munish Behl, Advocate who has appeared on behalf of the complainant admits the factum of compromise (Annexure P-7) and is having no objection if the petitioner is enlarged on bail.

6. I have considered the submissions made by counsel for the parties.
7. In view of the fact that all the offences are triable by the Court of Judicial Magistrate Ist Class, and after completion of investigation police presented challan and petitioner is incarcerated since 3.2.2023 and further it appears that parties have entered into compromise (Annexure P-7), so no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.
8. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

31.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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