

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.28175 of 2023
Date of decision: 17th July, 2023

Mahfooj Alam

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.
Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.
Mr. Akhil Aggarwal, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.7 dated 19.10.2022 under Sections 386, 406, 419, 420, 467, 469, 471, 120-B, 201 IPC registered at Police Station Cyber Crime, Sonipat, District Sonipat.

2. Learned counsel for the petitioner submits that it was on account of some misunderstanding, the FIR in question came to be registered against the petitioner, however, subsequently, the said misunderstanding was removed and an amicable settlement arrived at between the parties. In support, learned counsel has drawn the attention of this Court to Annexure P-2, which is a copy of the compromise

arrived at between the parties. It has further been submitted that the petitioner has now been in custody since 20.02.2023 and after the challan was presented, charges have not yet been framed. A prayer has therefore, been made that in the circumstances, further incarceration of the petitioner would serve no useful purpose, more so, when the petitioner has clean antecedents.

3. Per contra, learned State counsel has opposed the prayer and submissions made by the counsel opposite, by contending on instructions from ASI Sandeep, that enough material was collected during investigation that the petitioner had taken money from the complainant on the pretext of getting license of IFFCO Fertilizers' dealership. On a pointed query put to the learned State counsel qua the criminal antecedents of the petitioner, he on instructions has not disputed that the petitioner is not involved in any other criminal case.

4. Learned counsel appearing on behalf of respondent No.2 has not disputed the submissions made by the counsel opposite that the parties have ironed out their differences and arrived at an amicable settlement. He also does not oppose the prayer made by the counsel opposite for extending the concession of bail to the petitioner.

5. Learned counsel for the parties have also apprised the Court that in view of the settlement arrived at between the parties, they would be approaching this Court under Section 482 Cr.P.C. for quashing of the FIR in question.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The petitioner has been in custody since 20.02.2023 and the parties have amicably resolved their disputes and are ready to approach this Court for quashing of the FIR in question on the basis of compromise. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 17, 2023
rps

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