

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

231-A

CRM-M-36032-2023 (O&M)

Date of decision: 01.08.2023

Masood Alam @ Bittu

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Afjal Hussain, Advocate and
Mr. Abdus Samad, Advocate for the petitioner.

Ms. Ankita Ahuja, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 434 dated 04.07.2022 registered under Sections 406, 420, 467, 468, 471, 386, 120-B IPC at Police Station Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that as per the allegations, the petitioner and co-accused have committed fraud upon the complainant to the tune of Rs.9,99,000/- but the fact remains that during the pendency of the present case, with the intervention of the respectables, compromise has been effected between the petitioner and the complainant on 27.06.2023 and the due amount has already been paid to the complainant; that the complainant has also got recorded his statement before the learned Additional Sessions Judge, Kurukshetra, on 12.07.2023 and stated that he has received a Demand Draft No.407238 dated 26.06.2023 amounting to Rs.9,99,000/-; that there is no other registered or pending case against the petitioner and that the petitioner has been in custody since 28.04.2023.

Learned State counsel does not dispute the fact that the matter has been compromised between the parties with the intervention of the

respectables of the area and that the complainant has got recorded his statement qua the compromise effected between them and the amount has already been received by him. She also does not dispute the custody period of the petitioner and that there is no other case registered or pending against the petitioner. Challan has been presented but the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 28.04.2023. The matter has been compromised between the parties and the complainant has got recorded his statement before the learned Additional Sessions Judge, Kurukshetra, that the matter has been compromised and the due amount has also been received by him through Demand Draft. The charges are yet to be framed. Therefore, the conclusion of the trial would take a long time. Moreover, there is no other case registered or pending against the petitioner. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

01.08.2023
Mangal Singh

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