

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CRM-M-36532-2023 (O&M)

Date of Decision: 10.08.2023

MASERUL HAQUE

... Petitioner

Versus

STATE OF HARYANA

... Respondent

**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.

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**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 Camp Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that as per the allegations, the alleged amount of Rs.9,99,000/- was transferred in the account of the petitioner; that during the pendency of the present case and with the intervention of the respectables, compromise has been effected between the parties on 27.06.2023; that the due amount has already been paid to the complainant, as would decipher from the statement of the complainant recorded before the learned Additional Sessions Judge, Kurukshetra, on 12.07.2023, stating therein 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 27.04.2023. He further submits that co-accused, namely, Firdous Alam @ Raja and Masood Alam @ Bittu, have already been granted the concession of regular bail by this Court.

Learned State counsel does not dispute the fact that the matter has been compromised between the parties and that the complainant has got recorded his statement qua the said compromise before the learned Additional Sessions Judge, Kurukshetra on 12.07.2023. 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 27.04.2023. The matter has been compromised between the parties and qua that the complainant has got recorded his statement before the learned Additional Sessions Judge, Kurukshetra. The amount has already been paid to the complainant through demand draft. Co-accused have already been enlarged on bail. The charges are yet to be framed and prosecution evidence is to commence. 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.

10.08.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No