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

CRM-M-53326-2023
Date of decision : 31.10.2023

SUKHRAJ SINGH ALIAS SUKHRAJ SINGH FAUJIPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Joginder Pal Devgan, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.81 dated 5th of August, 2023 registered for the offences punishable under Sections 420, 120-B of the Indian Penal Code, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2013 at Police Station Kathu Nangal, District Amritsar Rural, Punjab.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. Counsel for the petitioner submits that the petitioner is a young man of 32 years of age. The matter already stands settled and the settlement amount already stands paid. He further refers to order dated 6th

of September, 2013 passed by this Court in CRM-M No.44634 of 2023 wherein it has been observed as under :

“Apprehending his arrest in FIR No.81 dated 05.08.2023 (Annexure P-2) registered for offence punishable under Sections 420,120-B IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2013 at Police Station Kathu Nangal, District Amritsar Rural, Punjab, the petitioner has preferred this petition under Section 438Cr.P.C. seeking pre-arrest bail.

Inter-alia submits that the parties earlier compromised the matter vide settlement dated 20.03.2022 which has been placed on record as Annexure P-3. Out of the settlement amount of Rs.3 lakh, an amount of Rs.1.95 lakh has already been paid and the petitioner is ready to deposit the remaining amount of Rs.1.05 lakh by way of demand draft in the registry of this Court within a period of 7 days.

Notice of motion.

On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent/ State.

Adjourned to 14.09.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/ Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

4. Counsel further submits that the petitioner is behind bars for more than 2 months and 8 days.
5. Per contra State Counsel does not dispute the aforesaid factual assertions made by counsel for the petitioner which are based on record.

6. I have heard counsel for the parties and have gone through records of the case.
7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the parties have settled the matter, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

October 31, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No