

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

**CRM-M-55115-2023
Date of decision : 06.12.2023**

Mohammad Safiq

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikram Singh, Advocate, for the petitioner.

Mr. Vikram Singh, AAG., Haryana.

Mr. Pankaj Bali, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.767 dated 18.08.2022, under Sections 406, 420, 467, 468, 471 of IPC and Section 24 of Emigration Act, 1983, registered at Police Station, Sadar Karnal, District Karnal.

2. Allegations are that the petitioner alongwith other co-accused committed a fraud of Rs. 40,80,000/- and provided fake visa and fake stamps on the passports of Ashish, Rahul, Neeraj and others on the pretext of sending them abroad.

3. This Court granted interim bail to the petitioner on 09.11.2023, in the following manner:-

“Contends that matter has been compromised between the parties i.e. petitioner as well as complainant.

Also contends that co-accused (Jarina Bano Fakrudin Saiyad) with similar allegations has been granted the concession of interim regular bail vide order (P-4).

Mr. Pankaj Bali, Advocate, appears on behalf of the complainant and acknowledges the factum of compromise.

Learned State counsel seeks time to have instructions in the matter.

Posted on 06.12.2023.

In the meantime, petitioner is ordered to be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

To be heard along with CRM-M-45175-2023.”

4. Learned counsel for the petitioner contends that the matter has been amicably settled between the petitioner and the complainant. Further contends that he is regularly appearing before learned trial Court. There is also no apprehension to either the prosecution witnesses or that he is likely to hamper the trial, in any manner.
5. Learned State Counsel, on instructions from SI-Manoj Kumar and learned counsel for complainant fairly acknowledge the above factual position.
6. Heard learned counsel for both the sides and perused the paper book.
7. Petitioner was granted interim bail by this Court on 09.11.2023 and the matter has been amicably settled between the parties. He is regularly appearing before the Court below; there is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner, in case his interim bail is made absolute; thus, sending him to custody at this stage would not serve any purpose.
8. Consequently, present petition is disposed off. Interim bail granted to the petitioner, vide order dated 09.11.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession by the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

06.12.2023
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No