

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

**CRM-M-58760-2022**

**Date of decision : 16.02.2023**

**Lalit Kumar**

**.....Petitioner**

**versus**

**U.T. Chandigarh**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**\*\*\***

Present :- Ms. Deepshikha Arora, Advocate  
for the petitioner.

Mr. Anupam Bansal, Addl. PP for  
Mr. A.M. Punchhi, PP, UT Chandigarh.

Mr. K.S.Sidhu, Senior Advocate with  
Ms. Armaan Saggar, Advocate  
for the complainant.

**\*\*\***

**RAJESH BHARDWAJ, J. (Oral)**

Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.116 dated 01.09.2022, under Sections 409/420 of IPC, registered at Police Station Sector-11, Chandigarh.

Learned counsel for the petitioner has submitted that the petitioner is behind bars since 04.09.2022. She submits that during the pendency of this petition, both the parties have duly compromised all the outstanding disputes between them and thus, prosecution of the petitioner would be nothing but an abuse of the process of the Court. He has submitted that the petitioner has no criminal antecedents.

Learned Senior counsel for the complainant has affirmed the fact that the compromise has taken place between the parties and father of the petitioner has paid Rs.2,00,000/- in cash and three post-dated cheques i.e. bearing No.000025 dated 15.06.2023 amounting to Rs.2,00,000/-,

No.000026 dated 15.09.2023 of Rs.3,00,000/- and No.000027 dated 15.12.2023 of Rs.3,00,000/-, total amounting to Rs.8,00,000/- which are yet to be presented before the bank. Photocopies of the cheques are taken on record. He has submitted that the said three postdated cheques would be presented as per the dates given by the petitioner/drawer.

Learned State counsel has affirmed the fact that the petitioner has no criminal antecedents. He submits that the investigation is complete and challan has been presented.

After hearing counsel for the parties and perusing the record, this Court do not go into the merits of the case at present. As submitted before this Court that father of petitioner has paid Rs.2,00,000/- in cash and three post-dated cheques total amounting to Rs.8,00,000/- and would be presented by the complainant before the bank in due course.

Keeping in view that the compromise arrived at between the parties and the cheques that have been handed over by father of petitioner, this Court is of the opinion that the petitioner be enlarged on bail subject to the conditions that if any terms and conditions of compromise arrived at between the parties including the encashment of the cheques given is found to be violated, the same would be liable to be cancelled. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

16.02.2023  
*m. sharma*

( **RAJESH BHARDWAJ** )  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |