



211-1

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

CRM-M-1976-2021 (O&M)

Date of decision : 20.09.2024

Dharminder Mandal

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Varshit Garg, Advocate,
for Mr. Vaibhav Sehgal, Advocate,
for the petitioner.

Mr. Ajaib Singh, Addl.A.G., Punjab.

Mr. Mohinder Kumar, Advocate,
for Mr. Naresh Jain, 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 bail pending trial to the petitioner(s) in FIR No.137 dated 26.08.2020, under Sections 420, 465, 467, 468, 471 & 120-B of the Indian Penal Code, 1860, registered at Police Station Model Town, District Ludhiana.

2. Allegations are that petitioner along with other co-accused forged the signatures of *de facto* complainant-Krishna Devi and prepared a fabricated agreement to sell dated 17.02.2016, with an intention to grab her property.



3. Learned counsel for the petitioner contends that petitioner was granted interim bail by the Coordinate Bench on 19.03.2021 (in CRM-7519-2021) and he is regularly appearing before learned trial Court. There is no apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner. Also contends that the matter has been amicably settled between the parties, i.e. petitioner as well as complainant.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Factum of compromise between the parties, i.e. petitioner as well as the complainant, is also not disputed by learned counsel for the complainant.

6. Heard learned counsel for both the sides and perused the paper book.

7. It is a matter of record that petitioner was granted interim bail by the Coordinate Bench Court on 19.03.2021 and relevant part of the order reads as under:-

“CRM-7519-2021

By way of this application a prayer has been made for grant of interim bail to the applicant/petitioner especially in view of the fact that the said concession has been extended to co-accused Rajinder Manipal vide order dated 22.02.2021 passed in CRM-M-34345-2020 so as to enable the said co-accused to explore the possibility of compromise. It has been submitted by the learned counsel for the applicant/petitioner that she has instructions from her client to the effect that he shall also try to contribute some amount towards the compromise in case the settlement is for some reasonable amount.

In view of the aforestated position, the applicant/petitioner is

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directed to be released on interim bail for a period of 10 days from today subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
Application stands disposed of accordingly.”

8. Noteworthy that above order was extended from time to time and is continuing till today.

9. It is acknowledged by learned State counsel that in terms of the aforesaid order, petitioner was released on interim bail and he is regularly appearing before learned trial Court; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; and moreover, the matter has been amicably settled between petitioner as well as the complainant; therefore, sending the petitioner to custody at this stage would not serve any purpose.

10. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 19.03.2021, is made absolute. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

12. Above observations be not construed as an expression of opinion on merits of case, in any manner.

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13. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
14. Pending application(s), if any, shall also stand disposed off.

20.09.2024
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(MAHABIR SINGH SINDHU)
JUDGE

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