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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(234)

CRM-M-25593-2024 (O & M)
Date of decision: 24.05.2024

Akshay Mandal and ors. Petitioners
V/s
State of U.T., Chandigarh and anr. ...Respondents

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr.Som Nath Saini, Advocate,
for Mr. B.S. Beniwal, Advocate,
for the petitioners.

Mr. Manish Bansal, Advocate,
for respondent No.1-U.T., Chd.

Ms. Suman Beniwal, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail to the petitioners in case bearing FIR No.14 dated 27.01.2024 under Sections 419, 420, 467, 468, 471 and 120-B IPC (Sections 467, 468 and 471 IPC removed later on) registered at Police Station Cyber Crime, U.T., Chandigarh.

2. The learned counsel for the petitioners contends that a compromise has been arrived at between the parties. As the petitioners were first-time offenders, in custody for more than 03 months, they were entitled to the concession of bail.

3. The learned counsel for the complainant/respondent No.2 admits the factum of a compromise having been arrived at between the



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parties and states that he has no objection if the petitioners are granted the concession of bail.

4. The learned counsel for the State, on the other hand, contends that number of cases such as the present case were increasing on a daily basis and therefore, no indulgence was to be shown to the petitioners. He, however, concedes that the petitioners were first-time offender, in custody for the last more than 03 months and that a compromise has been arrived at between the parties.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioners shall be adjudicated upon during the course of the Trial. Admittedly, they are first-time offenders and have undergone more than 03 months' custody. Furthermore, a compromise has been arrived at between the petitioners on the one hand and the complainant on the other. In this situation, the further incarceration of the petitioners is not required.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioners No.1 to 4, namely, Akshay Mandal, Bipin Kumar, Vikas Kumar and Rajesh Mandal are ordered to be released on bail subject to their furnishing bail bonds and surety bonds each to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioners shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that they are not involved in any other crime other than the present case.

9. In addition, the petitioners (or anyone on their behalf) shall prepare an FDR in the sum of Rs.50,000/- each and deposit the same with



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the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 24, 2024
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No