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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-37066-2024
Date of decision:-22.10.2024

HARPREET SINGH MANN

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. G.S.Salana Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Harwinder Singh, Advocate for the complainant.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed reply by way of affidavit dated 17.10.2024 of Deputy Superintendent of Police, Ambala, Cantt, District Ambala alongwith custody certificate dated 21.10.2024. The same are taken on record, copies thereof have been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
206	12.09.2023	406, 420, 467, 468, 471 IPC	Panjokhra, District Ambala



3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is in custody since 06.06.2024 and after completion of investigation challan has already been presented in court. He submits that in the meanwhile a compromise has been effected between the petitioner and the complainant. Hence, prayed for grant of bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that the petitioner has actively participated in the crime and deserve no leniency. He submits that 11 more cases are registered against the petitioner and hence the bail application is liable to be dismissed. However he admitted that the challan has already been presented in Court for trial.

6. Learned counsel appearing on behalf of the complainant has contended that the matter has been compromised by the complainant with the petitioner and complainant have no objection, if, the bail is granted to the petitioner.

7. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on the allegations of the petitioner having fraudulently transferred and sold the plot in question to the complainant in connivance with the co-accused with an intent to cheat the complainant and grab the money. It is alleged that the deal was struck for ₹10 lakh. The petitioner was arrested in the case and is in custody since 06.06.2024, after completion of investigation challan has already been

presented in Court, and the conclusion of trial, to ascertain criminal liability, if any of the petitioner in the present case, will take sufficient long time. Moreover, it is worth mentioning here that the counsel for the complainant has categorically stated that the matter has been compromised and the complainant has no objection for releasing the petitioner on bail.

8. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.10.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |