



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

254**CRM-M-54296-2024****Date of Decision: 29.10.2024****BHAJAN DASS**

...Petitioner

Vs.

**STATE OF HARYANA AND
ANOTHER**

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sunil Sihag, Advocate for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 438 of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to grant a regular bail in case FIR No. 378 dated 16.08.2024 registered under Section(s) 34, 35, 119, 120-B, 166, 166-A, 206, 207, 216, 403 418, 419, 420, 465, 466, 467, 468 and 471 IPC and Section 34, 35, 36, 37, 38, 39, 40 and 42 of the Aadhar (Targeted Delivery of Financial and other Subsidies, Benefits and Service) Act, 2016 and 81 of the Registration Act, 1908, at Police Station Civil Lines Sirsa District Sirsa.

2. Learned counsel for the petitioner contends that the petitioner is a retired Government Employee and has been falsely involved in the present case. In the present case, all the allegations have been primarily levelled against the Mandhir Singh, co-accused.



The petitioner was neither the beneficiary nor the witness of a sale deed, which was allegedly forged. By referring to the compromise deed, learned counsel further submits that all the disputes between the petitioner and the complainant has been resolved amicably. Even the complainant has compromised the dispute with Mandhir Singh, co-accused vide the compromise deed dated 21.09.2024 (Anneuxre P-4). Mandhir Singh, co-accused has filed the present petition under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to quash the FIR and all subsequent proceedings on the basis of the compromise deed dated 21.09.2024 (Anneuxre P-4). The petitioner was arrested in the present case on 16.08.2024 and the challan has already been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that one more case has already been registered against the present petitioner. Thus, he does not deserve the concession of bail by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. It is not in dispute that the complainant had compromised the case with Mandir Singh, co-accused vide compromise deed dated 21.09.2024 (Anneuxre P-4) and thereafter Mandhir Singh, co-accused has already filed the petition for quashing of the FIR on the basis of the compromise deed dated 21.09.2024 (Anneuxre P-4). Even vide



the compromise deed dated 21.09.2024 (Anneuxre P-4), the complainant has settled all the disputes with the petitioner and the petitioner is in custody since 16.08.2024 and challan has already been presented against him. Thus, the trial may take quite a long time to conclude and further custody of the petitioner will serve no meaningful purpose.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

29.10.2024

(N.S.SHEKHAWAT)

M.Sikka

JUDGE

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