



CRM-M-54822-2024

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265 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54822-2024
Decided on : 07.11.2024

Sukhwinder Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nikhil Ghai, Advocate
for the petitioner.

Mr. Manpreet Singh Longia, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

Ms. Arti Kaur, Advocate has put in appearance on behalf of the complainant and filed power of attorney in Court today, which is taken on record.

Main case

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.237 dated 21.10.2023 under Sections 406, 420 and 120-B IPC registered at Police Station Sadar Kharar District SAS Nagar (Mohali).

2. Learned counsel for the petitioner, at the outset, submits that following the registration of FIR in question, parties had ironed out their differences and allegedly cheated amount had also been returned to the complainant. Learned counsel for the petitioner



submits that in the circumstances, the petitioner be enlarged on bail as he has now been in custody for more than two months having been arrested on 04.09.2024.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner has reiterated the allegations levelled in the FIR, which has been annexed as Annexure P-1 and submitted that the petitioner is a habitual offender as he is involved in five other cases of identical nature.

4. Learned counsel for the complainant does not dispute the submissions made by the counsel opposite with respect to the parties having amicably settled all their disputes following the registration of FIR in question; it has also not been disputed by the learned counsel for the complainant that the allegedly cheated amount has since been returned to the complainant. Learned counsel for the complainant has further submitted that in the given circumstances, she would not oppose the prayer made by the counsel for the petitioner for being enlarged on bail.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 04.09.2024; parties have amicably settled their dispute and the allegedly cheated amount has been returned to the complainant.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the



petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

07.11.2024
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(MANJARI NEHRU KAUL)
JUDGE

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