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

CRM-M-520-2025

Date of Decision: 15.01.2025

KULDEEP SINGH AND ANOTHER

...PETITIONERS

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Tarun Sharma, Advocate for
Mr. Raj Kumar Poonia, Advocate
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to them in case FIR No.378 dated 16.08.2024, registered under Section 81 of the Registration Act, Sections 34, 35, 36, 37, 38, 39, 40 and 42 of Aadhar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 and Sections, 39, 115, 120-B, 166, 166-A, 206, 207, 216, 403, 418, 419, 420, 465, 466, 467, 468, 471 read with Section 34 of IPC, Police Station Civil Lines, District Sirsa.
2. Learned counsel for the petitioners contends that after the registration of the FIR, a compromise was effected between the complainant



and Mandhir Singh, main accused, who was the main beneficiary in the present case. Still further in view of the compromise, Sale Deed No.1104 dated 02.05.2024 and Mutation No.16378 dated 02.05.2024 have been set aside and the complainant-Satish Kumar Mehta continues to be the owner in possession of the property in dispute. He further refers to the order dated 28.10.2024 (Annexure P-3) passed by this Court, whereby the FIR qua Mandhir Singh, has been ordered to be quashed by this Court on the basis of compromise. He further contends that the petitioners were arrested in the present case on 14.09.2024 and are in custody for the last more than four months. Only Mandhir Singh was acquitted. He further contends that the challan has already been presented against the petitioners and the trial is not likely to conclude in near future.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioners on the ground that there are serious allegations against the petitioners and the petitioners are not entitled for the concession of regular bail. However, he admits that the petitioners are the first offenders.

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

5. In the present case, it is not disclosed that the property, which was subject matter of the dispute, has been transferred back to the complainant. Moreover, the complainant had compromised the matter with Mandhir Singh, principal accused also. The petitioners are in custody for the last more than four months and challan has already been presented against them. Thus, the further incarceration of the petitioners would not be justified.



6. Without commenting on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

15.01.2025
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(N.S. SHEKHAWAT)
JUDGE

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