



CRM-M-52785-2024 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-52785-2024 (O&M)
Date of Decision: 30.01.2025

Manish Kumar @ Tedda Banda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. C.M. Munjal, Advocate, for
Mr. Pranav Handa, Advocate for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

None for the complainant.

Mahabir Singh Sindhu, J.(Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for seeking bail pending trial in FIR No.25 dated 05.04.2024, registered under Sections 406, 420 and 120-B of Indian Penal Code, 1860 (for short, 'IPC'), at Police Station Julka, District Patiala.

2. Allegations are that petitioner in connivance with co-accused cheated complainant to the tune of Rs.46,00,000/- on pretext of sending him abroad.

3. Contends that the matter has been amicably settled between the parties i.e. petitioner as well as *de facto* complainant. Further contends that petitioner was arrested in the present case on 12.08.2024 and after remaining in custody for about 04 months, he was granted interim bail by

Coordinate Bench on 20.12.2024 and that in pursuance of the aforesaid



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order, he is regularly appearing before learned trial Court and there has been no progress of trial. Lastly contends that there is no allegation that he is likely to misuse the concession and/or hamper the proceedings in case released on bail.

4. *Per contra*, learned State Counsel, on instructions from quarter concerned, has fairly acknowledged the above factual position and submits that petitioner is regularly appearing before learned trial Court. Also acknowledged that petitioner has not misused the concession of interim bail in any manner.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court granted interim bail to the petitioner on 20.12.2024 and order reads as under:-

“At the very outset, learned counsel for the petitioner submits that the petitioner is willing to pay an amount of Rs.3,00,000/- to the complainant.

Learned counsel for the parties submits that there are chances of an amicable settlement between the parties. They pray that the matter may be referred to the Mediation & Conciliation Centre of this Court for an amicable settlement.

Accordingly, the parties are directed to appear before the Mediation & Conciliation Centre of this Court on 08.01.2025 at 11:00 a.m for working out a possible amicable settlement. Needless to say that parties shall remain present on each & every date fixed by the said Forum.

For awaiting report, adjourned to 30.01.2025.

In the meantime, the petitioner is ordered to be released on interim bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate till the next date of hearing”.



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7. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession and/or hamper the proceedings in any manner. As the trial is likely to take sufficient long time; therefore in such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 20.12.2024, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

30.01.2025
D.Bansal

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No