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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55505-2024(O&M)

Date of Decision:11.02.2025

ARVIND ALIAS AVI

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Deepak Kundu, Advocate
 for the applicant/petitioner.

 Mr. Arjun Lakhanpal, Addl.A.G., Haryana.

 Mr. Mayur Singla, Advocate
 for the complainant.

KARAMJIT SINGH, J.

CRM-5090-2025

For the reasons given in the application coupled with no objection pleaded on behalf of counsel for the complainant, the present application is allowed and document Annexure P-4 i.e. copy of compromise deed dated 28.01.2025 is permitted to be taken on record subject to all just exceptions.

**CRM-M-55505-2024**

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.51 dated 24.08.2024 registered for the offences punishable under Sections 318(4), 336(3), 338, 340, 61 of BNS, 2023 (Section 241 of BNS, 2023 added later on) at Police Station Cyber Crime Rohtak, District Rohtak.

2. Reply by way of an affidavit of YVR Sashi Sekhar, IPS, Assistant Superintendent of Police, Headquarters, Rohtak filed on behalf of respondent No1-State is taken on record. Copy thereof is already supplied to counsel for the petitioner.

3. Counsel appearing on behalf of petitioner *inter alia* submits that the FIR in this case was registered against unknown persons, who committed online fraud against the complainant, who is today present in Court. It is further submitted that the petitioner is incarcerated for the last more than 4 months and is having no criminal history and after completion of investigation, police has presented challan but after framing of charges no witness has been examined on behalf of the prosecution till date. Further now parties have effected compromise vide Annexure P-4. That in the given circumstances, detention of the petitioner in judicial custody for any longer period is not going to serve any purpose. So, prayer is made that petitioner be enlarged on regular bail.



4. The present petition is resisted by the State counsel, who submits that during investigation the name of the present petitioner surfaced and accordingly he was arrested in this case on 15.09.2011 and two mobile phones as detailed in the reply submitted by the State counsel, were recovered at the instance of the present petitioner. However, the State counsel has not disputed the fact that the petitioner is incarcerated for the last more than 4 months and on conclusion of investigation, police has presented challan and charges are also framed but the trial is at its initial stage.

5. Counsel appearing on behalf of the complainant submits that now the entire dispute has been settled vide Annexure P-4 and the amount in question is already repaid by the accused persons including the present petitioner and the complainant, who is present today in Court is having no objection if the present petition is allowed and petitioner is released on regular bail.

6. I have considered the submissions made by the counsel for the parties.

7. In light of the fact that the petitioner is behind bars for the last more than 4 months and on completion of investigation, final report has been submitted by the police but it will take time for the trial to conclude and further it appears that now complainant has effected

compromise with the accused persons including the petitioner, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.02.2025

Priyanka Thakur

Whether speaking/reasoned

Whether reportable

(KARAMJIT SINGH)

JUDGE

Yes/No

Yes/No