

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

Date of Decision : 15.01.2015

1) C.R.M-M No.30888 of 2014

Mangjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**2) CRM No.1337 of 2015 in/and
C.R.M-M No.23238 of 2014**

Babu Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. H.S. Sangha, Advocate
for the petitioner(s).

Mr. Deepak Garg, A.A.G., Punjab.

Mr. Sapan Dhir, Advocate
for the complainant.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

CRM No.1337 of 2015

For the reasons recorded, the application is allowed subject to

all just exceptions. Documents (Annexures P-7 to P-10) are taken on record.

C.R.M-M Nos.30888 & 23238 of 2014

These petitions have been filed for grant of anticipatory bail to the petitioners in case FIR No.70 dated 17.07.2013 registered under Sections 420, 406, 120-B IPC at Police Station Barnala, District Barnala. Both these petitions are decided by the common order.

On 15.07.2014 the following order was passed in CRM-M-23238-2014:-

“Learned Senior counsel would, inter alia, contend that the complainant Jodha Singh Deol is none other than the real son of the present petitioner and with regard to the partition of the moveable and immovable assets of the family, a compromise has already been entered into between the complainant, the present petitioner in the capacity of father as also co-accused Mangjit Singh i.e. the other son of the petitioner and even a Panchayati Compromise dated 28.07.2013 at Annexure P-3 has been duly entered into. It is submitted that in spite of such compromise, the complainant is still prosecuting his father with the oblique motive to extract some more money/share of the family estate. It is contended that the petitioner is 74 years of age and is, otherwise, ready and willing to join investigation.

Notice of motion, returnable for 07.10.2014.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Thereafter on 07.10.2014 the following order was passed in

CRM-M-23238-2014:-

“Learned counsel for the parties have accepted the compromise Annexure P-3. It is the contention of the learned counsel for the petitioner that the petitioner has done substantial work towards the compromise. However, learned counsel for the complainant states that though some efforts have been made to implement the compromise yet by no stretch of imagination it can be said that substantially the compromise has been acted upon.

In the circumstances, both the learned counsel may file respective affidavits of the parties about those terms of the compromise which have been implemented and those remain to be implemented.

Adjourned to 08.12.2014.

To come up along with CRM-M-30888-2014.”

Today I have gone through the documents filed by both the parties and it is clear that the petitioners rather than implementing the compromise have sought to frustrate it. They are also guilty of over-reaching this Court by making false averment from time to time to obtain an order of interim stay of arrest.

In the circumstances, the petitions are dismissed.

Since the main cases have been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 15, 2015

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**(AJAY TEWARI)
JUDGE**