

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

CRM-M-No. 40723 of 2014

Date of decision: 18.05.2015

Raj Pal Sekhon

-----Petitioner (s)

V/s

Mukesh Sharma and another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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

Present:- Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Jai Singh Yadav, Advocate for respondent No.1.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in Complaint Case No. 4029 of 2011, dated 19.09.2011, under Section 138 of the Negotiable Instruments Act, pending in the Court of Ld. JMIC, Gurgaon.

Vide order dated 01.12.2014, this Court has passed the following order:-

"Learned counsel for the petitioner has submitted that petitioner is ready for the compromise and she will deposit 25% of the cheque amount before the trial Court and will seek negotiation regarding the remaining amount.

Notice of motion for 14.1.2015.

In the meantime, the petitioner is ordered to be released on interim bail by the trial Court on deposit of 25% of the cheque amount."

Thereafter, vide order dated 14.01.2015, the matter was referred to the Mediation and Conciliation Centre of this Court. However, no effective compromise could be arrived at between the parties before the Mediation and Conciliation Centre. But on 23.03.2015, the counsel for the petitioner has offered an amount of ₹10,00,000/- along with interest and on 06.04.2015, the petitioner has shown intention to make payment for an amount of ₹10,00,000/- along with interest and prayed for time to bring a demand draft for the said amount.

Today, counsel for the petitioner has brought a demand draft for an amount of ₹5,00,000/- instead of ₹10,00,000/- and states that the petitioner would like to contest the complaint. In fact, this amount of ₹5,00,000/- i.e. 25% of the cheque amount was required to be deposited before the trial Court, as directed by this Court vide order dated 01.12.2014. It is only, thereafter, on deposit of the said amount i.e. 25% of the cheque amount, the trial Court was required to release the petitioner on interim bail.

Learned counsel for the petitioner has placed on record a photocopy of the said demand draft for an amount of ₹ 5,00,000/- and the same is taken on record.

Since, the matter was not compromised before the Mediation and Conciliation Centre of this Court, the petitioner is directed to surrender before the trial Court along with the bank draft for an amount of 25% of the cheque amount within a week.

On her being surrenders before the trial Court, the trial Court shall release the petitioner on interim bail, subject to furnishing bail bonds/surety bonds to its satisfaction or any other condition which the trial Court may deem fit and appropriate in the case.

With the aforesaid observations, the present petition is disposed of.

May 18, 2015
Anjal

(HARI PAL VERMA)
JUDGE