

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

CRM-M No.35889 of 2015

Decided on: 08.01.2016

SHISHPAL . . . Petitioner

Versus

STATE OF HARYANA . . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Rajeev Sharma, Advocate
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

Mr. Aman Dhir, Advocate
for the complainant.

TEJINDER SINGH DHINDSA, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.85 dated 10.03.2015, under Section 420 IPC, registered at Police Station Meham Rohtak, District Rohtak.

Counsel for the parties have been heard.

Allegations in brief against the petitioner are with regard to having received a sum of Rs.11,96,000/- from the complainant Sudesh Devi to facilitate her son being settled abroad.

Counsel appearing on behalf of petitioner would contend that during the pendency of the present petition, a settlement has been arrived at with the complainant and as such, prays for grant of concession of anticipatory bail.

Mr. Aman Dhir, who has put in appearance on behalf of complainant does not dispute that the compromise has been effected and in pursuance of which a sum of Rs.6,00,000/- has already been returned by the petitioner. As per compromise, the balance amount of Rs.5,96,000/- is payable by the petitioner to the complainant by 30.03.2016.

In view of the circumstances noticed herein above, this Court is of the considered view that the petitioner is entitled to the concession of anticipatory bail.

Petition is allowed.

No coercive steps shall be taken against the petitioner as regards arrest.

Petition disposed of.

It is, however, observed that in case the petitioner resiles from the compromise and does not make good the balance payment as per compromise, it will be open for the complainant to seek cancellation of interim protection granted.

[TEJINDER SINGH DHINDSA]
JUDGE

08.01.2016
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