

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

**CRM-M No.43911 of 2014
Date of Decision : 15.03.2016**

Harish Kumar Kathuria and another Petitioners

versus

State of Haryana Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Girish Agnihotri, Sr. Advocate
with Mr. Vijay Pal, Advocate
for the petitioners.

Mr. Pawan Kumar Jangra, Addl.A.G., Haryana.

Mr. Madan Pal, 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)

On 23.12.2014 the following order was passed:-

“This is a petition for anticipatory bail arises out of the contract for sale of a shop.

Notice of motion.

On the asking of the Court, Mr. Ashish Yadav, Addl.A.G., Haryana, accepts notice on behalf of the respondent.

Mr. Madan Pal, Advocate has entered appearance on behalf of the complainant.

Learned counsel for the petitioners undertakes to supply

a copy of the petition to the learned opposite counsel during the course of the day.

It was the case of the complainant that the premises which was promised to him and for which he was paid was not delivered to him and, instead premises with lesser market value was foisted upon him. Today the learned counsel have agreed to settle this dispute. It has been agreed that the petitioners will pay the entire amount deposited by the complainant along with 12% simple interest (from the date/s of deposit till the date/s of payment) on or before 31.07.2015 in full and final settlement of all the claims of the complainant against the petitioners and their company. On the payment having been made the complainant would execute an affidavit evidencing the above facts and thereafter he would also be liable to cooperate with the petitioners in getting this FIR quashed on the basis of compromise.

To come up on 03.08.2015. In the meantime, arrest of the petitioners shall remain stayed. However, in case the payment is not made this interim order would be liable to be vacated on the ground that the petitioners have tried to over-reach this Court.”

Today with the intervention of learned counsel the matter has been settled. Learned senior counsel appearing on behalf of the petitioners has stated that the petitioners will transfer the shop No.G 9-A which has the same area (adjoining to the original shop which had been offered to the complainant). It has further been agreed that both the parties will jointly and equally bear the expenses of registration of the said shop. It has further been agreed that the parties will appear before the Sub-Registrar, Karnal on 18.04.2016 to execute the necessary documentation.

In the circumstances, the interim order dated 23.12.2014 is made absolute. Petition stands disposed of.

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

March 15, 2016

ashish

**(AJAY TEWARI)
JUDGE**