

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

**CRM-M No.5778 of 2016 (O&M)
Date of Decision: 30.03.2016**

Dharmender

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Karanjit Singh, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by S.I. Ranbir Singh.

Mr. Sumeet Puri, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Dharmender in case FIR No.983 dated 24.12.2015, under Sections 420, 406, 506, 467, 468, 471, 120-B of the Indian Penal Code, registered with Police Station Model Town, District Panipat (**Annexure P-1**).

The allegations against the petitioner-Dharmender are that he had received raw material/goods from the complainant-Ashish Kumar for around Rs.2 Lacs and no payment was made. For the said amount and the previous due amounts, various cheques for a total amount of Rs.13,65,000/- were issued but were dishonoured on account of instructions of 'Stop Payments'.

It is contended that from the reading of the FIR, it is apparent that dispute is essentially of civil nature and no offence is made out. Be that as it may, an amicable settlement has been arrived at whereby a total sum of Rs.6 Lacs is to be paid. The petitioner has already paid a sum of Rs.4 Lacs and the remaining Rs.2 Lacs are to be paid by 15.04.2016.

The petitioner is stated to be in custody since 04.01.2016 and after completion of the investigations, challan stands presented qua him.

Learned Counsel for the complainant does not dispute the amicable settlement on the aforesaid terms.

Learned State Counsel, assisted by S.I. Ranbir Singh, concedes that the investigation qua the petitioner is over and the challan has been presented. He also agrees that a settlement has been arrived at.

In view of the aforesaid circumstances and without commenting on the merits of the case, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

March 30, 2016

Gagan

**(JASWANT SINGH)
JUDGE**