

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-34073 of 2016

Date of Decision: 14.2.2017

Meenakshi

---Petitioner

versus

State of Haryana and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Ms. Garima Sharma, Advocate
for the petitioner

Mr. Vikas Malik, DAG, Haryana

Rekha Mittal, J.

The petitioner prays for cancellation of bail allowed in favour of Sushil Katyal wife of Tilak Raj Katyal, respondent No. 2, mother in law of the complainant.

The sole submission made by counsel for the petitioner is that in pursuance of the compromise effected between the petitioner and Ruchin Katyal her husband (Annexure -1), husband of the complainant agreed to pay an amount of Rs. 09 lakhs towards past, present and future financial claim by way of four instalments. It is further submitted that the cheques (Annexures P-3 and P-4) issued by the husband for discharge of part of his liability on the basis of compromise got dishonoured on its presentation to the bank. It is further submitted that as the husband has failed to comply with the terms and conditions of the compromise (Anneure P-1), anticipatory bail granted to respondent No. 2 vide order dated 24.2.2016 is

liable to be cancelled.

I have heard counsel for the petitioner, perused the paper book particularly the compromise (Annexure P-1) and order dated 24.2.2016 passed in CRM No. M- 30395 of 2015.

Be that as it may, respondent no. 2 is not a privy to the compromise (Annexure P-1) purported to be effected between the petitioner and her husband. As per the compromise, amount of Rs. 9 Lakhs was to be paid by way of four instalments in the shape of demand drafts. It is not clear as to why the petitioner agreed to accept the payment by way of cheques which are stated to be dishonoured.

On a pointed query raised by the Court, counsel for the petitioner has fairly informed that husband of the petitioner was arrested and allowed regular bail. On completion of investigation, challan has been presented in the Court.

In view of the above, no justifying ground for cancellation of bail allowed in favour of respondent No. 2 is made out. As a natural consequence, the petition fails and is accordingly dismissed.

(Rekha Mittal)
Judge

14.2.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No