

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3330 of 2017
Date of decision: 09.05.2017

Meenu Rani and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Mansur Ali, Advocate
for the petitioners.

Mr. R.S. Nain, AAG, Punjab.

Mr. Sanjeev Manrai, Sr. Advocate with
Mr. Vijay Sharma, Advocate
for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.22 dated 17.01.2017, registered under Sections 420 and 120-B IPC at Police Station City Barnala, District, Barnala.

On 01.02.2017, the following order was passed:-

“Heard.

Learned counsel for the petitioners submits that FIR was registered on the complaint of Satish Kumar wherein he has alleged that he entered into an agreement with the petitioners for purchase of 8 Biswas of plot and paid the entire sale consideration in the year 2012. His allegation is that the petitioners are not executing the sale deed in his favour. The matter in issue is a civil dispute which has been given a criminal tinge.

Notice of motion for 5.4.2017.

In the meanwhile, the petitioners are directed to surrender before the police and join investigation within a

week. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

It is contended that in terms of the order dated 01.02.2017, petitioners have joined the investigation.

Learned counsel for the petitioners states that during the pendency of the present petition, settlement dated 01.05.2017 has been reached between the parties. A copy of the settlement is placed on record as mark 'A'. In pursuance of the settlement against the total liability of Rs.24,50,000/-, Rs.4,50,000/- has already been paid. The petitioners undertake to pay the remaining amount of Rs.20 lakh on or before 15.10.2017.

Learned State counsel submits that petitioners have joined the investigation.

Learned counsel for the complainant has admitted the factum of settlement. In fact, the settlement has been produced by learned senior counsel for the complainant.

Considering the above facts that the petitioners have joined the investigation and a settlement has been reached between the parties, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.02.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

In case of any breach of conditions of the agreement dated

01.05.2017, the complainant shall have liberty to move appropriate petition for cancellation of the bail or file any other appropriate application as per law.

The petition stands allowed.

09.05.2017
Dinesh Bansal

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No