

206+101.

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

CRM-M-35313-2017 (O&M)

Date of decision:02.11.2017

MUKUND HALWASIA AND ANR.

... Petitioners

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Abhinav Sood, Advocate,
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Manpreet Singh, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.874 dated 07.09.2017 under Sections 406, 420, 120-B IPC, registered at Police Station Sadar Gurugram, District Gurugram.

On September 21, 2017, this Court had passed the following order:-

“Learned senior counsel for the petitioners has, inter alia, argued that the petitioner No.1 has never been a director of the company, whereas the petitioner No.2 has ceased to be a director from 28.03.2014. He further states that for the property i.e. Unit No.212-A, the complainant has been getting payment on the agreed rate of rent upto April, 2016.

Notice of motion for 27.09.2017.

Meanwhile, arrest of the petitioners shall remain stayed.

At this stage, Mr. J.S. Bedi, Senior Advocate with Mr. Sonpreet Singh Brar, Advocate has put in appearance and filed power of attorney on behalf of the complainant, which is taken on record.”

Today when the case was taken up for hearing, learned counsel for the petitioners has produced a copy of settlement agreement dated 10.10.2017 as entered between the parties. He states that in view of agreement so arrived at between the parties, the complainant has no grievance and that the parties have rather decided to file an appropriate petition seeking quashing of FIR on the basis of compromise deed dated 10.10.2017.

Learned counsel appearing on behalf of complainant fairly admits the very execution of the compromise deed.

In view of the stand of the parties, present petition is disposed of.

However, in case, the petitioners are required to be associated with the investigation, they shall be served with a prior notice of 15 days. The petitioners shall comply the provisions of Section 438(2) Cr.P.C., if so required.

Since the main petition itself has been disposed of, no separate orders are required to be passed in the application i.e. CRM-30852-2017.

(HARI PAL VERMA)
JUDGE

02.11.2017
sanjeev

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No