

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

CRM-M-27141-2017 (O&M)

Date of decision:10.01.2018

Ravinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Bhupinder Banga, Advocate for
Mr. Mansur Ali, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Kartik Gupta, Advocate for the complainant.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition was preferred under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.54, dated 06.04.2017, under Sections 420/34 IPC, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Notice of motion in the instant petition was issued on 07.09.2017 upon taking notice of the contention of the counsel representing the petitioner that he is willing to return an amount of Rs.14,25,000/- that he had received from the complainant as earnest money towards his share of sale of land measuring a total of 20 kanals and 15 marlas.

This Court had directed the parties to appear before the Mediation and Conciliation Centre of this Court and had granted ad interim protection in favour of the petitioner subject to his joining investigation.

Placed on record is a report dated 13.09.2017 of Mr. Kapil Kakkar, Mediator and which reflects that a settlement between the parties

had been arrived at. The settlement agreement dated 13.09.2017 has also been placed on record.

Perusal of the settlement agreement would reveal that apart from other terms and conditions of the settlement between the parties, the petitioner had agreed to return a total amount of Rs.14,25,000/- to the complainant party on or before 25.10.2017.

As of today, the conceded position by counsel representing the the petitioner is that such amount has not been made good. Rather counsel pleads no instructions in the matter.

In the light of such circumstances wherein the petitioner having entered into a settlement before the Mediation and Conciliation Centre of this Court and having failed to honour his commitment, the prayer for concession of anticipatory bail cannot be accepted.

Petition is dismissed.

10.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |