

204

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

CRM-M No. 5982 of 2018
Date of Decision: 27.07.2018

Tarlok Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.S. Salar, Advocate,
for the petitioners.

Mr. Arun Kaundal, D.A.G., Punjab.

Mr. Anupam Singla, Advocate,
for respondent No.2.

RAJ MOHAN SINGH, J. (Oral)

1. Earlier petition i.e. CRM-M No.19318 of 2017 for grant of anticipatory bail was dismissed by this Court on 22.01.2018. Thereafter, with the change in circumstance, the present petition was filed.
2. Notice of motion was issued on 21.02.2018.
3. Vide order dated 14.03.2018, interim order was passed in favour of the petitioners to the effect that they may not be arrested to ensure their effective participation in the process of settlement.
4. On 26.04.2018, following order was passed by this

Court:-

“On 14.03.2018, it was noticed that for crop year 2012-13, a settlement has been arrived at between the parties vide which an amount of Rs.1,79,07,640/- was agreed to be paid by the petitioners within 45 days under One Time Settlement Scheme of Government of Punjab.

Today, both the parties are ad idem that the petitioner had deposited an amount of Rs.1,84,46,510/-. So far as, payment of Rs.56,56,807/- towards crop year 2011-12 is concerned, parties are in agreement that the difference in calculations submitted by both the parties is under active consideration and the same will be settled very soon.

For remaining payment of Rs.56,56,807/- for crop year 2011-12, one month time is allowed to the petitioners. It shall be the last opportunity to the petitioners to settle the dispute with the corporation, failing which, this petition shall be deemed to be dismissed without making any further reference to the Court.

Adjourned to 28.05.2018.

Till the next date of hearing, interim protection is extended.”

5. On the adjourned date i.e. 28.05.2018, both the parties i.e. learned counsel for the petitioners and respondent No.2 submitted before the Court that a written settlement has been executed between them for an amount of Rs.43,94,298/-

out of total remaining amount of Rs.56,56,807/- for crop year 2011-12. The said settlement was done under One Time Settlement Scheme of Government of Punjab which was in force at the relevant time. The difference of the amount was also amicably resolved by the parties and 45 days time was given to the petitioners to pay the amount in lump sum without interest. In the event of non-payment of aforesaid amount, interest @ 2% per month was to be accrued in addition to interest @ 10% payable for the delayed period.

6. Today, learned counsel for the complainant/respondent No.2 has stated at the bar that entire payment has been received by the complainant and nothing is due towards the petitioners.

7. Learned counsel for the petitioners has placed on record Certificate issued by the complainant- Corporation acknowledging receipt of payment made by the petitioners.

8. For the reasons recorded hereinabove, this petition is disposed of with a direction to the petitioners to appear before the SHO/Investigating Officer to join investigation on 06.08.2018 and in the event of their arrest, they shall be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioners shall make themselves available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioners shall not leave the country, without prior permission of the Court and shall surrender their passport, if any.

27.07.2018

Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No