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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 09.05.2018

+ BAIL APPLN. 1108/2017

ANIL UPPAL

..... Petitioner

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner	:	Ms Saahila Lamba
For the Respondents	:	Mr. Mukesh Kumar, APP. Mr Rajeev Saini, Advocate for complainant. SI Pratap Singh, PS Punjabi Bagh.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.05.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.71/2017 under Sections 420/120B IPC, Police Station Punjabi Bagh.
2. Allegations against the petitioner are that the complainant had paid a sum of Rs.25 lakhs to the petitioner as well as to the other co-accused against mortgage of a property. The transaction between the parties fell through and the contention is that the petitioner and co-accused are failing to refund the said amount.
3. Parties have settled their dispute and it has been agreed that the

entire amount of Rs.25 lakhs along with interest at the rate of 10% per annum (amounting to Rs. 4,16,000/-) for the period commencing from 26.09.2016 till date, shall be paid to the complainant in full and final settlement of all claims of the complainant.

4. The petitioner has handed over three cheques in the sum of Rs.29,16,000/- to the respondents, who are present in Court in person. The details of the cheques are as follows:-

<i>S.No.</i>	<i>Cheque No.</i>	<i>Date of Issue</i>	<i>Name of Bank</i>	<i>Amount</i>
1.	000118	09.05.2018	Punjab & Sind Bank, Moti Nagar Branch, New Delhi.	Rs.9,33,000/-
2.	000116	09.05.2018	Punjab & Sind Bank, Moti Nagar Branch, New Delhi.	Rs.10,50,000/-
3.	000117	09.05.2018	Punjab & Sind Bank, Moti Nagar Branch, New Delhi.	Rs.9,33,000/-
Total Amount :				Rs.29,16,000/-

5. The Petitioner undertakes that the said cheques shall be honoured on their presentation. The undertaking is accepted.

6. The complainants, who are present in Court in person, agree that the said amount would settle all their claims and they agree that on receipt of the said amount, they would not raise any objection to the compounding/quashing of the subject offences. They further

undertake that on receipt of the said amount, they shall consent to the quashing of the subject FIR and the consequent proceedings and also withdraw the complaints filed by them under Section 138 of the Negotiable Instruments Act, 1881. The undertaking is accepted. Parties submit that they shall be moving appropriate petition seeking quashing of the subject offences within two weeks.

7. Accordingly, it is directed that in the event of arrest, the petitioner shall be released on bail on his furnishing a bail bond in the sum of Rs. 25,000/- to the satisfaction of the Arresting Officer/Investigating Officer/SHO.

8. The Petition is disposed of in the above terms.

9. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 09, 2018

‘Sd’