

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

203

CRM-M-16947-2019
Date of Decision:16.07.2019

Daljit Singh

....petitioner

Versus

State of Punjab and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present: Mr.P.S.Kanwar, Advocate
for the petitioner

Mr.Ramdeep Partap Singh, DAG Punjab

Mr.Sandeep Bansal, Advocate
for respondent No.2

ANIL KSHETARPAL, J. (ORAL):

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.83 dated 21.03.2019 registered under Section 420 IPC at Police Station Model Town, District Hoshiarpur.

On 10.07.2019, learned counsel for the petitioner had sought time to seek instructions as to whether the petitioner is ready to honour the settlement arrived at on 12.12.2018.

Today, learned counsel for the petitioner has come up with a counter offer. He submits that as per the first agreement between the parties i.e. dated 14.07.2017, an amount of Rs.5 lakhs was payable to the first informant. He further submits that there was a second agreement dated 12.12.2018, according to which a total amount of Rs.10 lakhs was payable. Payment of Rs. 5 lakhs was admitted and remaining amount of Rs. 5 lakhs was still payable. However, there is another agreement in the presence of

witnesses i.e. dated 13.12.2018, wherein it has been accepted that compromise entered into on 24.07.2017 shall be complied with. He submits that there is no dispute with regard to Rs.5 lakhs, which have already been paid and only dispute is with regard to remaining Rs.5 lakhs, whether it is payable or not. He submits that the petitioner, in order to show his bona fide, would deposit the amount of Rs. 5 lakhs before the Illaqa Magistrate, which can be invested in a Fixed Deposit and the same shall be kept as a security. However, learned counsel for respondent No.2-first informant submits that the petitioner is not entitled to pre-arrest bail since he is not agreeing to pay the amount to the first informant.

After considering the submissions of learned counsel for the parties, this Court is of the view that the offer made by learned counsel for the petitioner is fair and proper. In such circumstances, petitioner is granted bail subject to the condition that he would deposit Rs.5 lakhs within one month before the Illaqa Magistrate, which would be invested by the Court in Fixed Deposit in a nationalised bank carrying maximum rate of interest. The amount shall be kept as a security and the court would be entitled to order disbursement thereof, after completion of the trial in accordance with the decision of the Court.

The petition stands disposed of.

16.07.2019*neenu***(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No